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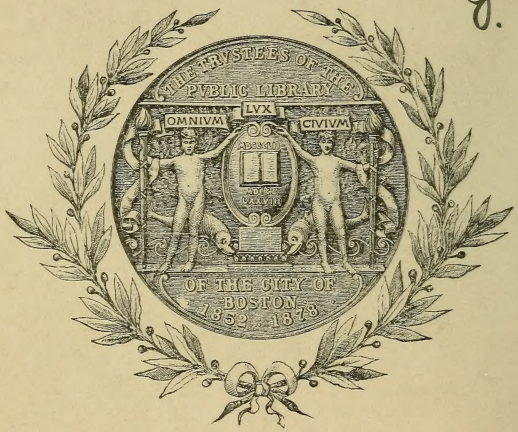

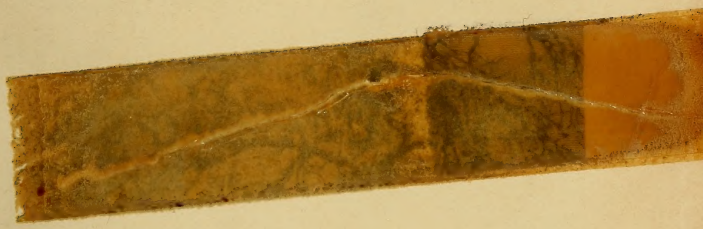

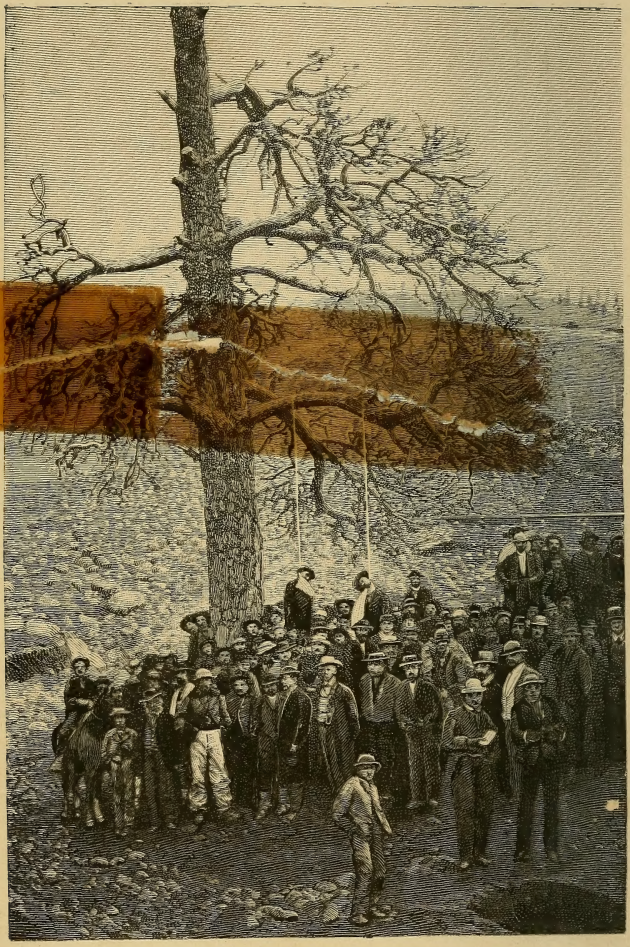

A VIGILANTE EXECUTION.

VIGILANTE DAYS AND WAYS.

VOL. II.

VIGILANTE DAYS AND WAYS

THE PIONEERS OF THE ROCKIES

THE MAKERS AND MAKING OF MONTANA, IDAHO, OREGON, WASHINGTON, AND WYOMING

By

Nathaniel Pitt Langford

WITH PORTRAITS AND ILLUSTRATIONS

IN TWO VOLUMES

VOL. II

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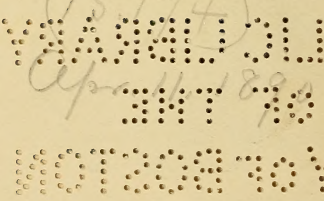

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VIGILANTE DAYS AND WAYS.

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MR. A. J. OLIVER had been running a letter express between Bannack and Salt Lake City during the year, and early in the autumn had substituted for a single saddle horse and pack animal, a small lumber wagon, with conveniences for the transportation of a few passengers. It was, at best, a very precarious mode of conveyance; but as it was the only public one, it was always full.

Mr. Samuel T. Hauser (afterwards appointed Governor of Montana by President Cleveland) and I had been for some time contemplating a trip to the States, and being now ready, I left Virginia City for Bannack, expecting to find the express on my arrival, and make arrangements for our passage to Salt Lake on its return trip. The day before I left, one Ed French had shot at me. The bullet slightly grazed an eyeball, doing no further damage than that of shaking the eye in its socket, and inflicting considerable pain. I contracted a severe cold on the ride to Bannack, which settled in the eye, producing inflammation and temporary blindness. For two weeks I shut myself in a dark room, ulceration in the mean time bringing relief, and restoring sight.

While thus confined, friends occasionally called upon me, and one day I was informed that Ned Ray was in town, and had been making particular inquiries after me. The next day I was told that Buck Stinson was there on the same errand. When I left Virginia City, both of these ruffians were at that place. I was convinced that they had left there to pursue me on the road to Salt Lake City. Ray was observed to watch my boarding-house, on repeated occasions, very closely.

Upon applying to Mr. Oliver for transportation,

GOVERNOR SAMUEL T. HAUSER,
Ex-Governor of Montana.

that gentleman informed me that snow was falling on the Pleasant Valley divide, and that he should abandon the wagon and return to Salt Lake with a pack mule. Disappointed in my expectation of finding a conveyance, I wrote to Mr. Hauser, who came over immediately.

Messrs. Dance and Stuart, wholesale merchants of Virginia City, had arranged to send by us to their creditors at St. Louis, fourteen thousand dollars in gold dust. It was contained in a buck-skin sack, and sealed. Clubfoot George, whose honesty none of us suspected, had heard us hold frequent discussions in the store of Dance and Stuart, as to the chances of safely getting through with it to the States.

Hauser was somewhat surprised on entering the coach at Virginia City, to find that he had Plummer for a fellow-passenger. Believing, upon reflection, that Plummer was going to Bannack to plan means for robbing him, he resolved to act as if he had the most implicit confidence in his integrity. He accordingly made no effort to hide the sack from view, or conceal the fact that he was going to the States; talked freely and confidentially, and seemed entirely at ease in Plummer's society. The trip was made in safety, though Hauser confessed that while passing

through Rattlesnake cañon, he did not forget the unenviable notoriety which frequent robberies had gained for it. When the coach drove up to Goodrich's hotel in Bannack, he felt greatly relieved, and with the sack of gold enveloped in the several folds of his blankets, entered the sitting-room, where he was met by some old friends, and, as was customary in those days, congratulated on his safe arrival. In a few moments he drew forth the sack, and in the presence of Judge Edgerton and several other leading citizens, turned to Plummer who was standing near, and thus carelessly addressed him: —

"Plummer, I hear that any man who has money isn't safe in this town over-night. I've got fourteen thousand dollars in this bag, which I'm going to take to the States with me when I go, and I want you, as sheriff, to keep it for me till I start."

Plummer took the gold, with a promise for its safe return, which he fulfilled; depositing it for safekeeping in George Crisman's store.

Hauser's friends expressed to him privately their surprise that he should intrust so large an amount to a man of such doubtful reputation.

"Why?" replied he, laughing: "do you think he'll keep it?"

"I should be afraid of it," said one, "especially if he's the man many represent him to be."

"Suppose he should," said Hauser. "You and half a dozen other good citizens saw him take it, and heard him promise that it should be safely returned. He knows, as well as I do, that if he fails to keep this promise, or through any pretence attempts to appropriate the gold, it will go hard with him; whereas, if I should attempt to keep it, he, with others of the roughs knowing that I had it, would kill me if necessary to obtain it. The gold is safer where it is; and while there, is a security for my life."

This was a bold piece of strategy on the part of Hauser, evincing an intuitive insight into the character of Plummer; but not one man in a hundred similarly situated would have thought of adopting it. If Plummer had entertained an idea that Hauser suspected his motives in accompanying him to Bannack, this act of gratuitous confidence must have allayed it at once.

Hauser and I engaged a passage to Salt Lake, of one of a company of eight Mormon freighters, who were to leave Bannack at noon of the 14th of November. We did not wish to leave until seven o'clock in the evening; and the man, impatient of any delay beyond the departure of his

companions, finally agreed, for an extra ten dollars paid in advance, to wait for us until five o'clock P.M. If we were not ready then, he would retain the ten dollars, and leave town without us, so as to overtake the other teams, which were to camp that night at Horse Prairie, twelve miles distant. These arrangements were made in George Crisman's store where Plummer had an office, and in the hearing of one of his deputies, who immediately communicated the information to his chief.

Early in the forenoon Plummer called upon Hauser and presented him with a woollen scarf of a bright scarlet color, saying, "You will find it useful these cold nights." A few hours afterwards, a report was circulated of the discovery of a silver lode in the vicinity of Rattlesnake. The person bringing in this intelligence, requested Plummer, who from his experience in Nevada was supposed to be a good judge of the quality of silver ore, to go immediately and examine it. He left early in the afternoon on the Rattlesnake road, but as soon as he was beyond observation, turned southward toward Horse Prairie. Col. Wilbur F. Sanders, who soon followed in the direction of Rattlesnake, returned the next day with the intelligence that he had been unable to trace him.

The circumstance of Plummer's departure, and the presence in town of Stinson and Ray, so wrought upon the fears of our friends for our safety, that it was not without much persuasion that they would permit us to undertake the journey. We were satisfied, however, that, go when we might, we should have to incur the same risk. As a precautionary measure, I carefully cleaned my gun, and loaded each barrel with twelve revolver balls. George Dart, a friend, observing this, asked why I was filling my gun so full of lead. I replied that we were fearful of an attack, and that the indications were that it would be made that night, if at all. Some of our friends endeavored to persuade us to defer our journey till a more favorable time. This we would have done had we not believed that the risk would have to be incurred whenever we took our departure. At the hour of five we were not ready, but the Mormon teamster was prevailed upon to wait for us two hours longer.

Just after seven o'clock, and as we were putting our provisions which we had prepared for our journey in the wagon, Henry Tilden, a member of the household of Sidney Edgerton, then chief justice of Idaho, came in with the report that he had been robbed about midway on his ride from

Horse Prairie, by three men, one of whom he thought was Plummer. This created much excitement; and if our friends had not supposed that we had already left town, we would probably have been forcibly detained.

Either our failure to appear at the time at which our appointment to leave at five o'clock justified him in expecting us, or the belief that Tilden had circulated the news of his robbery, and thereby delayed our departure, caused Plummer to return by a circuitous route to town. He inquired for me at my boarding-house, and being told that both Hauser and I had gone, left town immediately in hot pursuit.

In the wagon with us was one Charles Whitehead, a gambler, who had made arrangements with another of the Mormon teamsters for conveyance to Salt Lake City; but having some business to detain him in town, he availed himself of the circumstance of our late departure, to give it attention. I had frequently seen him in town, but knew nothing about him, save that he was a professional gambler. He might, I thought, belong to the gang and be in some way connected with their present enterprise, and we kept a close watch upon his movements. We rode with our guns double-charged and cocked, lying upon our

laps. It was after eleven o'clock when we reached the camp of the advance party. The night was clear and cold; the atmosphere crisp with frost. Whitehead, who had sent his blankets forward by the other teams, found that they had been appropriated by one of the teamsters, who had concluded that we had delayed our departure from town till the following morning. As he was in delicate health, I gave him my place with Hauser in the wagon, and taking a buffalo robe, stretched myself upon the ground beside the wagon.

I could not sleep for the cold, and about three o'clock in the morning, thoroughly chilled, I arose, took my gun in my hand, and walked briskly back and forth before the camp. Finding that this exercise did not greatly increase my comfort, I went down to the bank of the creek thirty yards distant and commenced gathering dry willows to make a fire. While thus employed I strayed down the stream about twenty rods from the camp. Suddenly I heard a confused murmur of voices, which at first I thought came from the camp, but, while walking towards it, found that it was from a different direction. Curiosity now overcame all thought of cold. I dropped the armful of sticks I had gathered, and carefully disentangling the little copse of willows which

sheltered me from view, peered through, and saw in the dim moonlight three footmen approaching on the other side of the stream. The thought struck me that they might be campers in search of horses or mules that had strayed. I walked noiselessly down the stream, to a point where I could obtain through a vista an unobstructed view, my trusty gun held firmly in the hollow of my hand. The three men approached the opening through which I was gazing, and I now discovered that their features were concealed by loosely flowing masks. I no longer doubted their identity or purpose. Some little noise that I made attracted their attention to the spot where I was standing. They saw me, and, perceiving that I had recognized them, changed their course, and disappeared beyond a clump of willows.

My first impulse was now to return to camp, and arouse the men, but I concluded not to do so unless it became necessary. One of the Mormons, as I passed by him, roused himself sufficiently to ask me why I was up so early. I replied that I was watching for prowlers. In a few moments I returned to the bank of the creek, and followed it down thirty or forty rods, till I came to a ripple where the water was not more than six inches deep. Stepping into the stream, I waded noise-

lessly across. The opposite bank was about two feet high, and covered with a willow thicket thirty feet in width. Through this I crawled to the opening beyond, where was the moist bed of a former stream, its banks lined with willows; and in this half-enclosed semicircle, not fifty feet distant from where I was lying, stood four masked men. One of them had been holding the horses — four in number — while the others were taking observations of our camp. After a brief consultation, they hurriedly mounted their horses, and rode rapidly off towards Bannack. These men we afterwards ascertained were Plummer, Stinson, Ray, and Ives. The fortunate change in my lodgings, and the coldness of the weather, and consequent sleeplessness, saved us from an attack whose consequences may be better imagined than described. We made the journey to Salt Lake City in safety; but from the frequent inquiries made of us while there, concerning others who had attempted it before us, we concluded that many had fallen victims who left the mines with better prospects of escape than those which encouraged us. It was the common custom of Mormon freighters to extend their day's journeying far into the evening. Plummer was cognizant of this fact, and there can be no doubt that his purpose in present-

ing Hauser with the scarf was, that he might single him out from the rest of the party after nightfall. It is a coincidence that Plummer was hanged on the succeeding anniversary of Hauser's birthday, January 10, 1864.

Our trip of fifteen days, with the thermometer ranging from zero to twenty degrees below, was not unrelieved by occasional incidents which we recall with pleasure. Among these, of course, we cannot include the cold nights we were obliged to pass upon the frozen earth. But we found an inexhaustible store of amusement, not unmingled with admiration, in the character of our Mormon conductors. Simple-hearted, affable, and unsophisticated, with bigot faith in their creed, studious observance of its requirements, and constant reliance upon it both for assistance in difficulty and pastime, they afforded in all their actions a singular contrast as well to the unregenerate Gentiles, as to the believers among older sects. They were not only sincere in their belief, they were enthusiastic. It was the single element which governed their lives: they idolized it, and neither reason, which they at once rejected, nor ridicule, which they silently abhorred, could shake their religious credulity. We engaged in frequent discussions with them, prolonging the evening camp-fire sit-

tings with arguments which broke like the waves of a summer sea upon the rock of simple faith. Theology with them was restricted to the revelations of Joseph Smith, and the counsels of Brigham Young. These contained the precious elements of their belief.

While passing over one of the divides, I recited to Hauser with such marked emphasis as I could command, Milton's description of "The meeting of Satan and Death at the gates of Hell." The stirring passage immediately absorbed the attention of our Mormon driver. The serious cast of his features during the recitation attracted our attention; and soon after we had camped for the night, while supper was in the course of preparation, he was heard to remark to a brother teamster, —

"I tell you, the youngest of those men in my wagon, the one that always carries that double-barrelled shot-gun, is a powerful talker. I heard him harangue t'other one to-day for half an hour, and he talked mighty fine. He can overlay Orson Hyde and Parley Pratt, both, and I rather think it would trouble Brigham Young to say nicer things. And after all, he had pretty much the same ideas that we have." Evidently, the man had regarded the recitation and its delivery, as an impromptu exercise.

When the labor of the day was over, and they were seated around the evening camp-fire, their thoughts were engrossed with matters appertaining to their religion. Temporal cares were seemingly forgotten. Fully instructed in the doctrinal points of their faith, they readily met and disposed of our arguments upon principles familiar to all Christian denominations. The golden plates of the book of Mormon, the inspirational powers of Joseph Smith, the transforming virtues of the Urim and Thummim, were as sacred in their creed as the miracles of the Saviour. No argument could shake their confidence in Brigham Young, whom they regarded as the vicegerent of the Almighty himself. This belief was sanctified by an immutable promise, that the time would come when the Mormon religion would embrace the whole family of man. When we spoke lightly of these things, or expressed doubt concerning them, they reproved us kindly, and expressed their regret at our stubbornness and impiety. These discussions, which were frequent, and indulged in more for pastime than instruction, convinced us of the sincerity of the Mormons as a people. They believe with enthusiasm too, and among them may doubtless be found many who would suffer martyrdom as readily as

did Ridley and Latimer, for the precious promises of their faith. Often when not occupied in discussion, they would all join in singing a religious hymn. A verse from the one which most frequently taxed their vocal powers, I well remember: —

> "Brigham Young is the Lion of the Lord.
> He's the Prophet and revealer of his word.
> He's the mouth-piece of God unto all mankind,
> And he rules by the power of the Word."

Sometimes they would unite in a household song — the leader, representing the head of the family, commencing, —

> "The Mormon man delights to see
> His Mormon family all agree;
> His prattling infant on his knee,
> Crying, 'Daddy, I'm a Mormon.'"

Then all would join in the chorus, as the representatives of the female part of the household, —

> "Hey, the happy! Ho, the happy!
> Hi, the happy Mormon!
> I've never known what sorrow is,
> Since I became a Mormon;"

occasionally varying it thus, —

> "Hey, the happy! Ho, the happy!
> Hi, the happy Mormon!
> I never knew what joy was
> Till I became a Mormon;"

the word joy being divided in the singing to jaw-wy, to accommodate the metre.

On the evening of the day before we entered the Mormon settlements, the leading man of the company beckoned me aside, and referred to our trip down, which he said had been a pleasant one.

"We have had," said he, "some warm discussions about our religion, and you gentlemen, as our boys think, have been rather hard on us. But the journey is now about over, and we'll not mind it. I sought this opportunity, however, to give you a word of caution, for I feel friendly to you. While you are at Salt Lake City you mustn't talk as you have to us."

"Why?" I inquired.

"Because they don't allow it. Were you ever at Salt Lake?"

"No."

"Well, you'll find out when you get there how it is. They are very severe upon people who talk as you have talked to us. Should you do it, you may be assured you'll never leave the city alive. I thought I'd put you on your guard." As he left me, he added, —

"Don't say a word to the boys about what I've told you, but keep an eye to your conduct. If

the bishop knew I had told you this, it would go hard with me."

Thanking him for the advice, we soon after separated; and on our arrival at Salt Lake City, a day or two afterwards, in conversation with a leading Mormon with whom we had business, we told him of the advice we had received, without committing our friend by name.

"That was good advice," he replied, with a significant nod, "and if adhered to will keep you out of trouble."

CHAPTER II.

COLONEL SANDERS AND GALLAGHER.

RUMORS OF SILVER LODE DISCOVERIES — PLUMMER LEAVES BANNACK FOR RATTLESNAKE — FOLLOWED BY COLONEL SANDERS — A RUSE — ARRIVAL OF JACK GALLAGHER — SEEKS A QUARREL WITH SANDERS — GOOD FEELING RESTORED IN THE USUAL WAY — SANDERS SUMMONED BACK TO BANNACK — ANXIETY FOR HIS SAFETY — HENRY TILDEN'S NARRATIVE — PLUMMER'S CRAFTINESS.

ON the day of the departure of Hauser and myself for Salt Lake City, as described in the preceding chapter, an episode occurred affecting Colonel Sanders, which illustrates in some degree the condition of society at that time.

During the day a number of young men of Bannack City, all known in the town, and some living there, saddled their horses and rode from saloon to saloon, indulging in drink, and otherwise busying themselves until about three o'clock P.M. Among these was Plummer.

Vague rumors had been extant for some time, that there were in this portion of Idaho (now

Montana), quartz lodes of silver; but none up to this time had been discovered, or, if discovered, the fact had not been made known publicly. A number of quartz lodes of gold of very considerable value had been recorded, but they were considered in the popular mind as of secondary value. The "Comstock" lode was at this time pouring forth its treasures; silver had not fallen under the ban which subsequently environed it, and there was a great eagerness on the part of miners and other citizens to acquire interests in silver mines.

It was apparent that the horsemen on the streets were making ready for some journey into the country, and it took but a moment to arouse suspicion that they knew where these reported silver mines were, and were going out to organize a mining district, and record the claims.

Col. Samuel McLean, the first delegate in Congress from Montana, who had an eager eye for mines, and an equally eager desire to obtain them, told Colonel Sanders that unquestionably the hope of these men was to record the silver mines already discovered, and was quite anxious that he should accompany the party.

In response to this request, Colonel Sanders volunteered to ascertain whether this was the

errand of this party or not, and at once proceeded to find Plummer, and interrogate him as to his destination.

Plummer professed to be on some errand for the public good — rescuing a herd of horses belonging to citizens, from Indian thieves, who, he said, would certainly make way with them, unless they were at once taken charge of by himself.

Colonel Sanders was incredulous as to this story, and so expressed himself to Mr. Plummer, saying that he was satisfied that the party were going to the new silver mines, with the purpose of staking them off and recording them. Plummer denied any such destination, or, at least, said if that was the intention of his colleagues, he had no knowledge of it, and that if such should turn out to be the case, contrary to his expectations, he would cheerfully secure for Colonel Sanders a claim. To this it was replied that his party might object to his securing a claim for an absentee, and the colonel expressed a purpose to accompany the party. Plummer cordially invited him to do so, probably knowing that there was not a horse in any of the stables in town that was obtainable for such a journey; but suddenly reflecting upon the matter, he replied that there was no such errand in view, and if his comrades objected to his

obtaining a claim for Colonel Sanders because he was an absentee, he would very cheerfully convey his own to him, saying that he could obtain quartz lode claims whenever he so desired.

With this understanding, which Colonel Sanders sought to impress upon his mind so that he would not forget it, the party, in knots of two and four, left the town in an easterly direction towards the point where Plummer had stated they were going that evening, which was about fifteen miles distant, and where he said they would remain over-night at the ranche of Parish, Bunton and Co., on Rattlesnake Creek, and the next morning would proceed to obtain the horses that were in such danger of being stolen.

This ranche was perhaps the best known of any in the Beaverhead country at this time. Plummer himself had denounced its proprietors as cattle thieves, and had threatened to have them arrested for that high crime, but had never done so. At this particular time the senior member of the firm was sick with fever, and it was thought that he could not long survive.

The morning coach which had brought Plummer and the other passengers from Virginia City, had also brought one Dr. Palmer, a medical practitioner at Virginia City, who had been sent for to attend and treat the case of Mr. Parish.

The wife of Parish was a Bannack squaw; and Plummer had stated that he had examined Parish when at his ranche in the morning, and had concluded that he could not survive more than a day or two, and that, the instant he died, his wife would take all the horses belonging to parties for whom Parish, Bunton and Co. were keeping them, and would join her tribe on the west of the mountains near Fort Lemhi; and in order to save these horses for the owners, it was necessary that the sheriff should proceed to take them on general principles, and without any writ for that purpose.

Never doubting but that Plummer was relating the truth, the people of Bannack saw his party quietly climb the eastern hill, and disappear over one of its declivities. A single member, delayed from some cause or other, lingered behind in the town.

After the party had left town, several gentlemen suggested to Colonel Sanders, that he should endeavor to overtake them, and volunteered to furnish a horse and saddle if he would do so, with a view to obtaining for himself and themselves, if possible, some interest in the silver quartz mines which they believed would the next morning be staked off and recorded.

Colonel Sanders proceeded to his house, took

the inevitable accompaniments of a traveller, his blankets, robes, revolvers, etc., and returned to the town, where a somewhat diminutive mule, saddled and bridled and ready for the fray, was presented to him for his journey. Mounting the animal, he started on the trail of the party, who had one hour or more the start of him, on his way to Rattlesnake ranche, the property of Parish, Bunton and Co.

The mule at times was recalcitrant in the early part of the journey, but finally settled down and jogged along at a mild speed towards his destination.

Tracks of the horsemen were plainly discernible in the road until he reached a point near the summit of the range of mountains between the Grasshopper and Rattlesnake, when they disappeared.

Upon arriving at the top of the hill, as is not unusual on the top of these mountain ranges, a snow storm burst upon the lone traveller, accompanied by a high wind, and in half an hour the disintegrated granite in the road, which was dry, mixed with the snow so as to cause the mule to accumulate on his hoofs large quantities of the dust and snow, to such an extent as to make speed impossible, and travelling very difficult.

The colonel dismounted and drove his mule in

front of him, eight miles, to the ranche, where he confidently expected to find a good-natured, hilarious crowd spending the evening. Judge of his surprise, when he entered the room, to find the only person in it was Erastus Yager, whose actual name not one in a thousand knew, but who was universally known as "Red." He was the Boniface and *major-domo* of the place.

To the inquiry, "Where is Plummer?" he replied that he was not there, and had not been there; and so, after reflecting a moment, the colonel had his mule put in the corral. He then sat down by the side of a very cheerful fire, made of the dry cottonwood obtainable not far distant, which blazed in a very ample fireplace such as in modern times is practically unknown, beguiling his disappointment as best he could.

Dr. Palmer was already asleep in the room, so the colonel unrolled his blankets, preparatory to making his bed on the floor, whereupon Yager invited him to sleep on the bed, a straw tick filled with swale grass, quite ample in its size, lying upon the floor in front of the fire; and, accepting this hospitable offer, he spread his blankets on the tick, and in a few moments had retired.

William Bunton, one of the proprietors of the establishment, appeared from the back room where

his partner lay ill, and retired also upon the straw tick, and shortly after, Yager followed suit, when the three, in one bed, were all soon in a sound sleep.

About two hours after they had retired, a boisterous noise was made upon the door by some individual who was outside, who also hallooed as loud as he could for admittance.

Yager got out of bed and proceeded around to the back of the bar where the liquid refreshments, so called, were dispensed, and lighted a candle, and taking in his hands a large shot-gun which stood in the corner, started to the door and demanded to know who was there. After some hesitancy, he was told it was "Jack," whereupon he proceeded to take down the bar that was across the door, and so fastened at each end as to effectually serve the purpose of a lock. He then opened the door, and in stalked a member of Plummer's party, the one who had remained in town behind the rest, and known all over that mining country as "Jack" Gallagher.

He was in very ill-humor. He had been looking for his party, and had been disappointed in not finding them, finally seeking shelter from the storm at the Rattlesnake ranche.

He said the snow had so covered the road that

it could not be distinguished. He had been lost on the prairie and finally found the Rattlesnake. He said he had ridden up and down the valley a number of miles and failed to find the ranche. He complained that they had no light burning.

He said he was very hungry and that he wanted a drink. A bottle was set out for him, and he imbibed pretty freely once or twice. He then wanted something to eat without delay. He was informed that there was nothing to eat in the house, that the lady of the house had all she could do to take care of her husband, who was very ill and who would not probably recover, and that they were not prepared to entertain guests.

He expressed an entire indifference to the misfortunes of the household, and said he must have something to eat if it was no more than some bread, and became so importunate that Yager went to the back part of the house, and soon returned with a large tin pan partially filled with boiled beef. The pan was placed upon the bar, and Gallagher did ample justice to its contents, refreshing himself from time to time by frequent libations from the bottle of whiskey.

He told Yager that he could not stop all night, but must find his party. He thought it would be necessary for him to have a fresh horse, and he

wanted to trade a very excellent animal which he had ridden to the ranche for a fresh one.

Yager thereupon told him that he had no horse that he desired to trade, but Jack affirmed that he had, and furthermore insisted that he should accommodate him by trading.

Their wrangling had awakened Colonel Sanders, and also Mr. Bunton, who finally called Yager to the bedside and told him to trade off that horse of Oliver's that was in the corral, if Jack would have a horse trade.

The importunities of Gallagher for a fresh horse were continuous; and finally Yager coyly confessed that they did have a horse in the corral, which was not such a horse as Gallagher wanted, and one that they did not desire to get rid of, being a favorite animal for riding, — not specially desirable for its speed, but for wonderful bottom, able to travel a hundred miles in a day, and after being turned out at night, it would be ready for a like journey the next day. In fact, it was so good a horse that Yager wanted it for his own use, and it was not for sale, — much less did he desire to trade it for as poor a horse as the one Gallagher had ridden there (which in truth was a very noble animal).

After a great deal of negotiating and a good

many drinks, Gallagher agreed to pay sixty dollars to boot, and they consummated the trade.

Colonel Sanders had been very much disappointed at not finding the party he was in search of, and having an opportunity at the close of the horse trade, he inquired of Gallagher if he knew where Plummer was. It seemed to him a harmless question, and he did not expect any one would become excited by so simple an inquiry, as he lay on his back on the straw tick.

The instant the question was asked, Gallagher jumped from the bar where he was standing to the side of the bed, and placed his cocked revolver at the colonel's head, all the while hurling imprecations upon him, and threatening to "shoot the whole top of his head off."

The result, for the instant, upon the colonel is described by himself as being very peculiar. He said he could count each particular hair in his head, and that it felt like the quill of a porcupine. Not enjoying the situation, he made a quick movement, getting his head out of range of Gallagher's revolver, and springing to his feet, in an instant was behind the bar, where "Red" was standing. Sanders seized the shot-gun which was used by Yager in admitting his guests in the night, and levelled it across the bar directly at

Gallagher. The opportunity which had been afforded Gallagher to shoot Sanders had not been improved by him till it was too late; and as soon as the gun was aimed at him, with an air of bravado he placed his revolver on a pine table that stood near him, the normal use of which was card-playing, and pulling aside his blue soldier's overcoat which he wore, he said, "Shoot."

Colonel Sanders replied that he had no desire to shoot, but if there were any shooting to be done, he *did* desire to have the first shot.

At this somewhat exciting stage of the game, Bunton, who had hitherto kept silence, reprimanded the actors in this little drama somewhat severely, saying that his partner was at the point of death in the back room, and he would not have any noise in the house.

Yager also joined in the conversation, and deprecated any such difficulty, saying to Gallagher that he was blamable for having been the cause of the disturbance, Gallagher meanwhile standing with his coat open, as if waiting to be shot down.

Yager continued his suave and conciliatory remarks to Gallagher, and said finally that he thought Jack owed Sanders an apology, and that all had better take a drink.

A double-barrelled shot-gun is a powerful factor in an argument; its logic is irresistible and convincing; and under its influence Jack finally relented, and said that he guessed he had made a fool of himself, and invited the colonel to have a drink, — who up to this time had maintained a position of hostility; but, becoming satisfied of the sincerity of Gallagher's assurances, he placed the shot-gun behind the bar, and the entire party joined in a pledge of amity over a bottle of "Valley Tan," a liquor well known throughout the mountains, and a production of the Mormons of Salt Lake Valley.

Some controversy then arose as to who should pay for the liquor. Yager claimed the privilege, but Gallagher said it was his row, and it should be his treat, and that the man who wouldn't drink with him was no friend of his. The affair was finally compromised by allowing Gallagher to order another bottle of "Valley Tan," and the actors in this scene dared fate by taking another drink. This was, doubtless, the easiest method of settling the difficulty and appeasing the wrath of Gallagher; and my readers will doubtless agree with Sanders in thinking that the circumstances of duress which surrounded him, ought not to impair his standing as a Son of Temperance.

After this renewed pledge of friendship between all the parties, Yager and Gallagher withdrew to exchange horses, and in a few moments the latter was on the road in pursuit of his comrades. Yager returned to bed, and all at the ranche were soon sound asleep. About two hours thereafter, there was heard another tumultuous rapping at the door, and the voice of somebody, seemingly very angry, demanding admittance. Yager exercised the same precaution as before, with his light and gun, and finally opened the door, when in came Jack Gallagher, with his saddle, bridle, blankets, and shot-gun, and threw them all down upon the floor, saying that he had been lost since he left the ranche, that his horse was not good for anything, and he wanted the fire built up.

He was accommodated; and as there was not room for more than three on the bed, he spread his blankets on the floor at its foot, in front of the fire, and soon all were asleep once more. However, they were not destined to enjoy this peace very long, for shortly after they had all dropped asleep, there came another tumultuous rapping at the door. Yager arose, armed himself once more, and going to the door demanded to know what was wanted. It proved to be Leonard

A. Gridley and George M. Brown, from Bannack. They inquired for Colonel Sanders, and being informed that he was there, and invited in, they declined, and asked that he come out.

The colonel went out and joined the two men, when he was told that they had been sent by his wife to ascertain his whereabouts and bring him home; and they related to him the events now to follow.

On the morning of the preceding day, a young man named Henry Tilden, who had accompanied Chief Justice Edgerton and Colonel Sanders from their homes in Ohio to Bannack City, had been sent to Horse Prairie, ten miles south of Bannack, to gather together a herd of cattle owned by them and to drive the same into town.

It was rather late when he left Bannack, and as the cattle were somewhat scattered, night came upon him before he had got them all together. He therefore put those he had found in a corral, and having decided to go to the town and spend the night, and return the next day to find the rest, he started in the darkness for Bannack.

He was a young man used to quiet and peace, and wholly untrained in the experiences he was about to undergo. Midway between Horse Prairie Creek and Bannack, as he was riding

along at a gallop, he saw in front of him several horsemen. He was somewhat startled, as he was not prepared to meet men under such conditions and in such a country. He gathered courage as he rode, and proceeded along the highway until he came up with the horsemen, who produced their revolvers and told him to throw up his hands and dismount, a request with which he quickly complied, notwithstanding the impolite manner in which it was conveyed. They "went through" his pockets, he meanwhile maintaining a very awkward position with his hands in the air above his head. Finding nothing, they told him to mount his horse and proceed on his way, telling him further that if he ever dared to open his mouth about the circumstance, he would be murdered, or, in their expressive language, they would blow the top of his head off.

The young man started towards Bannack, and as soon as he was out of sight of the robbers, rode his horse at its utmost speed.

He finally reached Colonel Sanders's house on what was known as "Yankee Flat," not, however, until he had been thrown from his horse, while crossing a mining ditch, and had lain on the ground for a period of time which he could not himself determine, being unconscious.

He told his story of having met the robbers, and further stated, that he knew the parties who had "held him up," particularly one of them, who had held a revolver at his head and who seemed to be a leader among them, and this man was Henry Plummer.

Mrs. Sanders then went with him to the house of Chief Justice Edgerton, where he related again the story of his meeting the highwaymen, and was cautioned to say nothing about it.

As the party whom Colonel Sanders had started to find and travel with had been found going in an opposite direction, and engaged as highway robbers, it naturally excited and alarmed his family, and the result was, that they, finding a team which had come into town late that night, procured the horses, and mounted Gridley and Brown and sent them to the Rattlesnake ranche to find the colonel. The next morning Plummer and all the men who had gone with him were in town, appearing as unconcerned as if nothing unusual had occurred.

Colonel Sanders did not at first share Tilden's belief concerning the *personnel* of the troop of robbers and his identification of Plummer, but nevertheless, as a precautionary measure, he admonished Tilden not to communicate his beliefs

to any one, assuring him that if his conjectures were correct, and an expression of them should ever reach Plummer's ears, it would go hard with him. Two or three days thereafter, Plummer approached Tilden, and gazing fixedly upon him, abruptly asked if he had any clew by which the robbers could be identified. Tilden, though greatly frightened by this inquiry, gave him an answer which allayed whatever suspicion the wary robber might have entertained. But Tilden himself, in relating the incident to his friends, never wavered in his convictions. There were many among the better class of citizens of Bannack who had for a long time suspected Plummer, and believed him to have been engaged in numerous murders and highway robberies, which were of such frequent occurrence as to scarcely cause comment; and when it was determined on the afternoon of January 10, 1864, that Plummer should be hanged, Tilden was sent for and related his story in detail, which convinced all who heard it, of Plummer's guilt.

Within sixty days after Colonel Sanders's adventure at the Rattlesnake ranche, he was the sole survivor of the party there assembled, the others having been executed by the Vigilance Committee, and Plummer and his associates in the attempted

robbery of Hauser and myself had met the same fate.

But little is known of Gallagher's early history. He was born near Ogdensburg, New York. He was at Iowa Point, Doniphan County, Kansas, in October, 1859, and in Denver from 1862 till early in 1863. At this latter place he killed a man in an affray, and fled, next making his appearance in the Beaverhead mines. During the summer of 1863, he shot at and badly wounded a blacksmith by the name of Temple, for interfering to prevent a dog-fight. After this he became uneasy, and finally determined upon leaving the country, and started for Utah. On the Dry Creek divide he met George Ives, who persuaded him to return to Virginia City, and join Plummer's band.

CHAPTER III.

ROBBERY OF MOODY'S TRAIN.

ROBBERY OF MOODY'S TRAIN BY DUTCH JOHN AND STEVE MARSHLAND — FIRST MEETING OF THE ROBBERS IN BLACK TAIL DEER CAÑON — SECOND MEETING AND ATTACK ON RED ROCK DIVIDE — BOTH ROBBERS WOUNDED AND ESCAPE — REPRISALS BY THE PURSUING PARTY.

ONE cold morning, a few days after the attempted robbery of Mr. Hauser and the writer, a train of three wagons, with a pack-train in company, left Virginia City for Salt Lake. Milton S. Moody, the owner of the wagons, had been engaged in freighting between the latter place and the mines ever since their first discovery. His route on the present trip lay through Black Tail Deer, Beaverhead, and Dry Creek cañons, so named after the several streams by which they are traversed. Bannack was left twenty miles to the right of the southern angle in the road at Beaverhead cañon, and, with the exception of three or four ranches, there were no settlers on the route.

Among the packers were Messrs. John McCormick, M. T. Jones, William Sloan, John S. Rockfellow, J. M. Bozeman, Melanchthon Forbes, and Henry Branson, — energetic business men, who had accumulated a considerable amount in gold dust, which they took with them to make payments to Eastern creditors. Buckskin sacks, containing about eighty thousand dollars, were distributed in cantinas through the entire pack train, no one pair of cantinas containing a very large sum. Besides this amount, there was in a carpet sack in one of the wagons, fifteen hundred dollars in treasury notes, enclosed in letters to various persons in the States, and sent by their friends and relatives in the mines.

The men in the train were well armed, and anticipated an attack by the robbers at some point on the route, but they determined upon fighting their way through. Plummer had been on the watch for their departure a week or more before they left, and through his spies was fully informed of the amount they took with them. He made preparations for surprising them in camp after nightfall, on their second day out, well knowing that some would then be seated, others lying around their camp fires, and others still spreading their blankets for the night. Two of the boldest

men in the band, John Wagner, known as "Dutch John," and Steve Marshland, were selected for the service. They followed slowly in track of the train. Coming in sight of the camp-fire in Black Tail Deer cañon, after dark on the evening appointed, they hitched their horses in a thicket at a convenient distance, and, with their double-barrelled guns loaded with buck-shot, crawled up, Indian fashion, within fifteen feet of the camp. By the light of the fire, they were enabled to take a survey of the party and its surroundings. The campers were dispersed in little groups engaged in conversation, oblivious of the approach of the robbers, but fully prepared to meet them. Mr. McCormick, who had done some friendly services for Ives, was warned by him, when on the eve of departure, not to sleep at all, never to be off his guard, nor separate from his comrades, but to keep close in camp until after they had crossed the range. As soon as the robbers comprehended the situation, they withdrew to the thicket and held a consultation. Wagner, the bolder of the two, proposed that they should steal again upon the campers, select their men, and kill four with their shot-guns, it being quite dark; that they should then, by rapid firing, quick movements, and loud shouting, impress the survivors with the

belief that they were attacked by a numerous force in ambush.

"They will then," said Wagner, "run away, and leave their traps, and we can go in and get them."

This scheme, none too bold or hazardous for Wagner to undertake, presented a good many embarrassments to the more timid nature of his companion. Bold as a lion at the outset, he now found his courage, like that of Bob Acres, "oozing out of his fingers' ends." The more Wagner urged the attack, the stronger grew his objections, until at length he flatly refused, and the experiment was abandoned until the next morning.

The campers knew nothing of this. One by one they sank to rest, and arose early the next morning to pursue their journey. While seated around the camp-fire at breakfast, near a sharp turn in the road, their attention was suddenly arrested by a voice issuing from the thicket, uttering the following ominous words: —

"You take my revolver and I'll take yours, and you come right after me."

In a twinkling every man sprang for his gun and cocked his revolver. The sharp click, that "strange quick jar upon the ear," probably satisfied the robbers that they had been overheard,

for in a few moments after up rode Wagner and Marshland, with their shot-guns thrown across their saddles, ready for use. The confused expression of the robbers when they saw that every man was prepared for their approach, betrayed their criminal designs. Recovering themselves in a moment, Marshland, who recognized Sloan, in a friendly tone called out, —

"How do you do, Mr. Sloan?"

"Very well, *thank you*," replied Billy, laying particular stress upon the complimentary words, the significance of which would have been more apparent, had he known that Marshland's cowardice the night before had probably saved his life.

The road agents inquired if the party had seen any horses running at large, or whether they had any loose stock in their train.

"We have not," was the prompt reply.

"We were told by some half-breeds we met," said Marshland, "that our animals were running with your train, and we rode on, hoping to find them."

"It's a mistake," was the answer, "we have no horses but our own."

With this assurance the robbers professed to be satisfied, and galloped on.

These successive failures only strengthened the

villains in their determination to rob the train. They awaited its arrival in Red Rock valley two days after leaving it, with the intention of attacking it there, at the hour of going into camp. When near the summit of the ridge which divides the waters of the Red Rock from those of Junction creek, the packers, according to custom, rode on ahead of the wagons to select a suitable stopping-place for the night. Three or four men only were left in charge of the teams. The robbers supposed that the treasure was hidden away in some of the carpet sacks in the wagons, now near the top of the divide. The brisk pace of the pack-horses soon took them out of sight and hearing of their companions in the rear. Assured of this, the robbers, disguised in hoods and blankets, dashed out of a ravine in front of the wagons, and in a peremptory tone, covering the drivers with their shot-guns, commanded them to halt. Gathering the drivers together, they ordered them not to move, at their peril; and while Dutch John sat upon his horse, with his gun aimed at them, Marshland dismounted, and engaged in a speedy search of both drivers and vehicles. Unperceived by the robbers, Moody had slipped a revolver into the leg of his boot. He also had a hundred dollars concealed in a

pocket of his shirt, which escaped notice. The other drivers had no money on their persons. After disposing of the men, Marshland went to the wagons, where he was fortunate enough to find the carpet sack containing the letters in which were enclosed the fifteen hundred dollars in greenbacks. Pocketing this, and still intent upon finding the gold, he proceeded to the rear wagon, which fortunately was occupied by Forbes and a sick comrade. As soon as Marshland climbed to the single-tree, Forbes, who had been in wait for him, fired his revolver through a hole in the curtain, wounding him in the breast. With an oath and yell, the robber fell to his knees, but recovering himself, jumped from the wagon, fell a second time, regained his feet, and ran with the agility of a deer to the pine forest. Dutch John's horse, frightened at the shot, reared just as its rider discharged both barrels of his shot-gun at the teamsters. The shot whizzed just above their heads. Moody now drew his revolver from his boot, and opened fire upon the retreating figure of Dutch John, the ball taking effect in his shoulder. Urging his horse to its utmost speed, John was soon beyond reach of pursuit; but had Moody followed him on the instant, he might have brought him down. The packers who had

gone into camp, were no less gratified to hear of the successful repulse, than astonished at the bold attack of the freebooters. Marshland's horse, arms, equipage, and twenty pounds of tea, of which he had rifled a Mormon train a few days before, were confiscated upon the spot.

Rockfellow and two other packers rode back to the scene of the robbery, where, striking Marshland's trail, they followed it, searching for him till eleven o'clock. He admitted afterwards, when captured, that they were at one time within fifteen feet of him. They found, scattered along the route, all the packages of greenbacks he had taken. He gained nothing by his attack, was badly wounded, froze both his feet on his retreat to Deer Lodge, and lost his horse, arms, and provisions. Both of Dutch John's hands were frozen, but he was fortunate in meeting J. X. Beidler, who bound them up for him, not knowing at the time the villain's occupation. "X," as he is called by all the mountaineers, always accounted this kindly act to the retreating ruffian, as a stroke of bad fortune. "Had I only known," says he when telling the story, "I would have bandaged his hands with something stronger than a handkerchief."

The serious part of the transaction being over,

our wayfarers had abundant sport for the remainder of their long journey, in determining the rights of the respective claimants to the booty. Forbes claimed Marshland's horse and accoutrements, because it was his shot that caused the robber to take flight. Moody insisted upon his right to an equal share, in compensation for the wounds he gave Dutch John. The two teamsters set up a claim, upon the principle that all ships in sight are entitled to a share in the prize. If steersmen represented schooners at sea, teamsters were the proper representatives of "prairie schooners." The subject was debated at every camp made on the journey, and finally determined by electing a judge from their number, impanelling a jury, and going through all the forms of a regular trial. The verdict gave Forbes the possession of the property on payment of thirty dollars to Moody, and twenty dollars to each of the teamsters. The party arrived at Salt Lake without further molestation.

CHAPTER IV.

GEORGE IVES.

HISTORY OF GEORGE IVES — ROBBERIES AND MURDERS COMMITTED BY HIM — MURDER OF TIEBALT — A COMPANY PURSUE IVES FROM NEVADA — HE IS CAPTURED — ESCAPE — RECAPTURE — IS BROUGHT IN SAFETY TO NEVADA.

GEORGE IVES, whose name is already familiarized to the readers of this history, by the prominent part he acted in the robberies of the coach, and the contemplated attack upon Hauser and the writer, was at the time regarded as the most formidable robber of the band with which he was connected. The boldness of his acts, and his bolder enunciation of them, left no doubt in the public mind as to his guilt. But the people were not yet ripe for action; and, while Ives and his comrades in crime were yet free to prosecute their plans for murder and robbery, the miners and traders were content, if let alone, to pursue their several occupations. The condition of society was terrible. Not a day passed unmarked by crimes of greater or lesser enormity. The crisis was

seemingly as distant as ever. Men hesitated to pass between the towns on the gulch after night-fall, nor even in mid-day did they dare to carry upon their persons any larger amounts in gold dust than were necessary for current purposes. If a miner happened to leave the town to visit a neighboring claim, he was fortunate to escape robbery on the way. And if the amount he had was small, he was told that he would be killed unless he brought more the next time. Often wayfarers were shot at, sometimes killed, and sometimes wounded.

During this period, it was a custom with George Ives, when in need of money, to mount his horse, and, pistol in hand, ride into a store or saloon, toss his buckskin purse upon the counter, and request the proprietor or clerk to put one or more ounces of gold dust in it "as a loan." The man thus addressed, dare not refuse. Often, while the person was weighing the levy, the daring shop-lifter would amuse himself by firing his revolver at the lamps and such other articles of furniture as would make a crash. This was frequently done for amusement. It became so common that it attracted little or no attention, and people submitted to it, under the conviction that there was no remedy.

Anton M. Holter, owner of a train of wagons, while on the route from Salt Lake to Virginia City with a large party of emigrants, was overtaken by a fierce mountain snowstorm, during the last days of November, on Black Tail Deer creek. Fearing that the road would be blocked, he and a Mr. Evanson pushed on as rapidly as possible to the Pas-sam-a-ri, crossing the stream with their teams with great difficulty, the water reaching midway up the sides of the wagon-boxes. Once over, they made a camp near by, to await the abatement of the storm. A Mr. Hughes who had been travelling in company with them, came up with his wagon, at a late hour in the evening, to the cabin at the crossing, at the door of which he was met by "Dutch John," its only occupant. John, at his request, went in search of Evanson, who came and assisted in getting the horses and wagons across the river. The night was half spent before the object was accomplished. During all this time, John, in pursuance of Plummer's general instructions for obtaining information, plied Evanson with questions about Holter's property and ready means in gold, — possessing himself of all the information that an unsuspicious man would be likely to communicate.

A few days later, Holter moved on with his

train to Ramshorn creek, and after making camp, went to Virginia City with two yokes of oxen for sale. On his way he passed Ives and Carter, who, he observed, eyed him suspiciously. Failing to sell his cattle, he left on his return to camp the next day, intending to spend the night at Mr. Norris's ranche. He had gone well down into the valley, and it was nearly sundown, when he saw Ives, accompanied by one Irving, approaching on horseback. Holter did not know Ives, and had no real fear of an attack; but with that instinctive feeling which regards every stranger with suspicion in a country infested with robbers, he immediately drew and examined his pistol. It was so badly rusted that he could not make it revolve. He replaced it, and, remembering that he had no money, felt equally satisfied to escape or to hazard an adventure. Ives and Irving rode up in front of him, and Ives, impudently, as Holter thought, inquired, —

"Where are you going?"

"Down to Norris's place," replied Holter. "Do you know where he lives?"

"Yes, I know well enough," answered the highwayman, and drawing closer to him he asked, "Have you got any money?"

Holter drew back in surprise, but answered immediately, "No, I'm dead broke."

"Well, we'll see about that," said Ives, drawing and cocking his revolver.

"You can see for yourself," said Holter, drawing forth a memorandum book.

"Hand it over here," said Ives, reaching and taking it. He then proceeded to examine it with some care, but finding nothing in it, with an expression of disgust he threw it away. Turning to Holter, and levelling his pistol full upon him, he continued, —

"You've got money, and I know it. Hand it over, or I'll shoot you."

"You're surely mistaken," replied Holter. "I left what I had at the camp, and had to borrow ten dollars in town."

"I tell you, you have got money," was the savage rejoinder. "Turn your pockets inside out — and be quick about it, too."

Holter complied, and found a few greenbacks, which, as they were not in use, he had forgotten.

"Hand 'em over here," said Ives, and cramming them hurriedly into his pocket, he said, —

"Now, turn your cattle out of the road, and don't follow our tracks; and when you come this way again, bring more money with you."

As Holter turned his cattle to obey, he glanced furtively over his shoulder, and saw Ives in the

very act of firing at him. Dodging instinctively, the ball passed through his hat, ploughing a furrow down to the scalp, which it grazed, through his heavy hair. Stunned by the shot, Holter staggered and almost fell, just as Ives aimed and pulled the trigger again. Fortunately, the cap snapped; and Holter, now sufficiently recovered, started on a run, and took refuge in an old beaver-dam. Ives followed him closely for another shot, but a teamster with a load of poles at this moment appeared upon the road, which circumstance deterred Ives from firing, and probably saved Holter's life.

During this same season, a man who had been whipped for larceny at Nevada, under some modification of his punishment, agreed to disclose certain transactions of the robbers. Ives heard of it, and watching his opportunity, met the poor fellow on the road between Virginia City and Dempsey's. Riding up to him, he deliberately fired at him with his gun charged with buckshot. From some cause the shot failed of effect. Ives immediately drew his revolver, and while loading him with oaths and execrations, shot him through the head. The man fell dead from his horse, which Ives took by the bridle and led off to the hills. This cold-blooded murder was committed

in open day on the most populous thoroughfare in the country, in plain view of two ranches, and while several teams were in sight. Travellers who arrived at the spot half an hour after its occurrence, aided by the neighboring ranchmen, paid the last sad offices to the still warm but lifeless body. Ives sought concealment in the wakiup of George Hilderman, where he remained until satisfied that no public action would be taken to avenge the crime.

He then again sallied forth to watch for fresh opportunities for plunder and bloodshed. His name had become the terror of the country. No man felt safe with such a monster at large, and yet no one was ready to initiate a plan for his destruction. His malevolence was only equalled by his audacity, — and this was, if possible, surpassed by his gasconade. The dark features of his character were unrelieved by a single generous or manly quality. Avarice, and a natural thirst for bloody adventures, controlled his life.

About this time, a young German, by the name of Nicholas Tiebalt, who was in the employ of Messrs. Burtchy and Clark, sold to them a fine span of mules which were in charge of the herders at Dempsey's ranche. They had advanced the money for the purchase, and sent Tiebalt after

the mules. As several days elapsed without his return, they concluded that, like many others, he had probably swindled them out of the money, and left the country with the mules; a conclusion all the more regretted by them, from the fact that he had won their confidence by his fidelity and sobriety.

Nine days after Tiebalt had left Nevada, Mr. William Palmer, while hunting in the Pas-sam-a-ri valley, shot a grouse, and on going to the place where it fell, found it, dead, upon the frozen corpse of Tiebalt. He immediately went to the wakiup occupied by John Franck — better known as Long John — and George Hilderman, a quarter of a mile below, to obtain their assistance in lifting the body into the wagon.

"I will take the body to town," said he, "and see if it cannot be identified."

"We'll have nothing to do with it," said Long John. "Dead bodies are common enough in this country. They kill people every day in Virginia City, and nobody speaks of it, nobody cares. Why should we trouble ourselves who this man is, after he's dead?"

Shocked at this brutality, Palmer returned to the corpse, which he contrived to place in his wagon, and drove on to Nevada. The body was

exposed for half a day in the wagon, and was visited by hundreds of people from Nevada, Virginia City, and the other towns in the gulch.

In reply to the question, "How did you find it?" Palmer answered, —

"It was providential. The Almighty pointed the way, or it would never have been found. I had my gun in my hand, and was looking carefully about for game, when a grouse rose suddenly at my approach. I had little thought of killing it when I fired, as the shot was a chance one. The bird flew some distance before it fell, but seeing that I had wounded it, I ran as rapidly as I could, and went directly to it, and found it on the breast of the murdered man. The body was lying in a clump of heavy sage-brush, completely concealed, — away from the road, where no one would ever have gone except by chance, — and but for the fact that it was frozen hard, would long before this time have been devoured by the coyotes."

The body of Tiebalt bore the marks of a small lariat about the throat, which had been used to drag him, while still living, to the place of concealment. The hands were filled with fragments of sage-brush, torn off in the agony of that terrible process; and the bullet wound over the

left eye showed how the murder had been accomplished.

These appalling witnesses to the cruelty and fiendishness of the perpetrator of this bloody deed roused the indignation of the people to a fearful pitch. They went to work to avenge the crime with an alacrity sharpened by the consciousness of that long and criminal neglect on their part, but for which it might have been averted. They felt themselves to be, in some degree, participants in the diabolical tragedy. In the presence of that dead body the re-action commenced, which knew no abatement, until the country was entirely freed of its bloodthirsty persecutors. That same evening, twenty-five citizens of Nevada subscribed an obligation of mutual support and protection, mounted their horses, and, under the leadership of a competent man, at ten o'clock started in pursuit of the murderer. Obtaining an accession of one good man on their route, and avoiding Dempsey's by a hill trail, they rode six miles beyond it to a cabin, and with the aid of its proprietor found their way to the point of destination. At an early hour in the morning, they crossed Wisconsin creek, breaking through the frozen surface, and emerging from it with clothing perfectly rigid from frost and wet. A mile beyond this they

were ordered to alight and stand by their horses until daybreak. An hour or more passed, when they remounted and rode quietly on, until in sight of Long John's wakiup. A dog was heard to bark; and in anticipation of the alarm it might occasion, they dashed forward at full speed, surrounding the wakiup, each man halting with his gun bearing upon it. Jumping from his horse, the leader discovered eight or ten men wrapped in their blankets, sleeping in front of the entrance. Raising his voice, he exclaimed, —

"The first man that rises will get a quart of buckshot in him before he can say 'Jack Robinson.'"

It was too dark to distinguish the sleepers. With half of his company at his back, he strode on to the entrance. Peering into the darkness, he asked, —

"Is 'Long John' here?"

"I'm here," responded a voice, instantly recognized to be that of the person addressed. "What do you want?"

"I want you," was the rejoinder. "Come out here."

"Well," said John, "I guess I know what you want me for."

"Probably," replied the leader. "But hurry up. We've no time to lose."

"One moment. I'll be with you as soon as I can get on my moccasins," said John.

"Be quick about it," shouted the leader.

"Long John" was taken in charge by the company, and as soon as it was light enough to enable them to see distinctly, the leader, with four men, escorted him to the spot where Tiebalt was found. The remainder of the company kept guard over the men found sleeping near the wakiup. When they arrived upon the ground, the leader said to him, —

"Long John, we have arrested you for the murder of Nicholas Tiebalt. We believe you to be guilty, and have brought you up here to the spot where his body was found to hear what you have to say."

Palmer, who was one of the company, then proceeded to explain all the circumstances connected with the discovery, the position of the body, and the conversation he held with Long John when he applied to him for assistance.

"Boys," said John, in a serious tone, "I did not do it. As God shall judge me, I did not."

One man, more excited than the rest, now began handling his pistol, saying to John, meanwhile, —

"Long John, you had better prepare for

another world." What more he might have said, or what done, it is easy to conceive, had he not been interrupted by the leader, who, stepping forward, remarked, —

"This won't do. If there is anything to be done, let us all be together."

Long John was then taken aside by three of the company, who sat down in the faint morning light to examine him. Just as they were seated, they saw through the haze at no great distance, "Black Bess," the mule which Tiebalt rode from Nevada when he started for Dempsey's. She seemed to be there at this opportune moment as a dumb witness to the assassination of her master. Pointing to the animal, one of the men inquired, —

"John, whose mule is that?"

"That's the mule that Tiebalt rode down here," he answered.

"John," was the reply, "you know whose mule that is. Things look dark for you. You had better be thinking of your condition now."

"I am innocent," murmured John.

The mule was caught and led up to him. "Where are the other two mules?" was the next inquiry.

"I do not know," he replied.

"John," said his interrogator, "you had better

be looking forward to another world. You are 'played out' in this one, sure."

"I did not commit that crime," was his reply, "and if you'll give me a chance, I'll clear myself."

The leader now said to him, "John, you can never do it, for you knew of a man lying dead here, close to your home for nine days, and never reported his murder. You deserve hanging for that alone. Why didn't you come and tell the people of Virginia City?"

"I was afraid," said John. "It would have been as much as my life was worth to have done it. I dared not."

"Afraid? Whom were you afraid of?" inquired the leader.

"I was afraid of the men around here," he answered.

"What men? Who are they?" persisted the leader.

"I dare not tell who they are," said John, in a frightened tone: "there's one of them around here."

"But you must tell, if you would save yourself. Where is the one you speak of?"

"There's one at the wakiup, — the one that killed Nick Tiebalt."

"Who is he? What's his name?"

"George Ives," said John, after a moment's hesitation.

"Is he down at the wakiup?"

"Yes: I left him there when I came out."

"Men," said the leader, addressing them, "stay here and keep watch over John, while I go down and arrest Ives."

Selecting from the number at the wakiup a person answering the description of Ives, he asked his name, which was very promptly given.

"I want you," said the leader.

"What do you want me for?" inquired Ives.

"To go to Virginia City," rejoined the leader.

"All right," said Ives: "I expect I'll have to go." He was immediately taken in charge by the guard.

"Old Tex" was standing near by at the time, and the leader turning to him, said, —

"I believe we shall want you, too." The ruffian made an impudent reply, to which the leader simply rejoined, —

"You must consider yourself under arrest," — words whose fearful import he understood too well to disobey.

The other men now emerged from their blankets. They were Alex Carter, Bob Zachary, Whiskey Bill, and Johnny Cooper, and two

inoffensive persons who had fallen in with them the evening before, and craved permission to pass the night under their protection. Fortunately, these confiding individuals had no money, and escaped assassination; but when told of the character of their entertainers, one of them, pointing to Carter, remarked, —

"There's one good man, anyhow. I knew him on the other side of the mountains, where he was a packer, and there was no better man on the Pacific slope."

Just at this moment, the leader saw some movement which indicated to him that a rescue of the three prisoners would be attempted by their comrades, and in a loud tone of command, said, —

"Every man take his gun and keep it."

Five men were ordered to search the wakiup, and the others, meanwhile, to keep off intruders. The searchers soon came out with seven dragoon and navy revolvers, nine shot-guns, and thirteen rifles, as the fruit of their spoil. Among other weapons was the pistol taken from Leroy Southmayd at the time of the coach robbery described in a previous chapter. Having completed the search and broken up the nest of the marauders, the scouting party started with their prisoners on

the return to Nevada. At Dempsey's they found George Hilderman, who, after offering various excuses, consented, under the mild persuasion of a revolver, to accompany them. The prisoners were disarmed but not bound, nor prevented from riding at pleasure among their captors. A stranger, on seeing or joining with the cavalcade while in motion, would never have supposed that it was an escort with four murderers in charge; nor, from the merry, jovial conversation and song singing of the company, as it rode gayly and rapidly onward, have distinguished the accusers from the accused. Whenever the subject of his offence was mentioned, Ives asserted his innocence, and declared that he would be only too happy to have an opportunity to prove it. With a fair trial by civil authority in Virginia City, he had no fear of the result; but as he once had the misfortune to kill a favorite dog in Nevada, he felt that he would have the prejudices of the people against him if put upon trial there. This idea was elaborated, because if adopted, Plummer, being sheriff, would have the selection of the men from whom the jury would be impanelled. Ives affected great amiability and a ready compliance with every order and request made by his captors. One subject suggested another, and

many of the rough and pleasant phases of mountain life passed in review, until that of racing, and the comparative speed of their horses, was introduced. On this theme Ives was specially eloquent, and being mounted on his own pony, which had some local popularity as a racer, he ventured finally to propose a trial of speed with several of the guard, and even challenged them to race with him. After one or two short scrub races, in which he suffered himself to be beaten, the spirit of the race-course seemed suddenly to animate the company, and, one after another, all were soon engaged in the exciting sport. It increased in interest and excitement for several miles, and until within a short distance of Daly's ranche. At this point, Ives's horse, which had been kept under before, was now pressed to his utmost speed; and when the party were least prepared for it, they saw him not only as the winner in the race, but leading the cavalcade, and bearing his master away at a fearfully rapid rate over the level stretch towards Daly's. Instantly, every horse was urged into the pursuit. On rode the desperado, and on followed the now broken column of scouts, two of whom pressed him so closely that he could not stop long enough at the ranche to exchange his pony for his favorite

horse, which, by order of some of his friends who had pushed on from the wakiup in advance of the scouts, had been saddled and was standing ready for his use. His pursuers, more fortunate, found a fresh horse and mule standing there, which had come down from Virginia City. These they mounted, and resuming the pursuit, when three miles away from the main road near the Bivins gulch mountains, they saw the hotly pressed fugitive jump from his exhausted pony, and take refuge among the rocks of an adjacent ravine. Quicker than it can be told, they alighted, and, fresher on foot than the jaded steeds, they were soon standing on the edge of the sheltering hollow. Ives was nowhere visible. Certain that he was near, Burtchy and Jack Wilson plunged into the ravine, and commenced a separate search among the rocks. It was of brief duration, for Burtchy soon discovered him, crouching behind a large bowlder, and directed him to come out and surrender himself.

Ives laughingly obeyed, and in a wheedling manner was approaching Burtchy, who was separated from his comrade, evidently with the purpose of wresting his gun from him. Burtchy understood the movement, and with his eye still coursing the barrel, now but a few feet from the

heart it would have been emptied into in a moment more, he said, —

"That is far enough, Mr. Ives. Now stand fast, or I shall spill your precious life-blood very quick."

Wilson, who had been searching in a different direction, now came up and aided in securing the prisoner, with whom they soon rejoined the rest of the company. The two hours which had elapsed between the escape and recapture, were pregnant with wisdom for the almost disheartened scouts.

"Let us raise a pole and hang him at once," said one of them, as the captors rode up with their prisoner.

Several voices raised in approval of this recommendation, were at once silenced by a very decided negative from the remainder of the company. Ives, meantime, commenced chatting gayly with the crowd, and treated them to a "drink all round." The cavalcade, formed in a hollow square, with their prisoner in the centre, then rode quietly on to Nevada, arriving soon after sunset.

CHAPTER V.

TRIAL OF GEORGE IVES.

TRIAL OF GEORGE IVES — ATTEMPTS TO PROVE AN ALIBI — LONG JOHN TURNS STATE'S EVIDENCE — SUSPENSE — FEARLESSNESS OF COLONEL SANDERS — CONVICTION — APPEALS FOR DELAY — A RESCUE IMMINENT — EXECUTION.

INTELLIGENCE of the capture of Ives preceded the arrival of the scouts at Nevada. That town was full of people when they entered with their prisoners. A discussion between the citizens of Virginia City and Nevada, growing out of the claims asserted by each to the custody and trial of the prisoners, after much protesting by the friends of Ives, resulted in their detention at Nevada. They were separated and chained, and a strong inside and outside guard placed over them. The excitement was intense; and the roughs, alarmed for the fate of their comrades, despatched Clubfoot George to Bannack with a message to Plummer, requesting him to come at once to Nevada, and demand the prisoners for

trial by the civil authorities. By means of frequent relays provided at the several places of rendezvous of the robbers on the route, he performed the journey before morning. Johnny Gibbons, a rancher, in sympathy with Ives, proceeded immediately to Virginia City, and secured the legal assistance of Ritchie and Smith, the latter being the same individual who had figured in the defence of the Dillingham murderers. But the time for strategy was over, — the people were determined there should be no delay.

Early the next morning, the road leading through the gulch was filled with people hastening from all the towns and mining settlements to Nevada. Before ten o'clock, fifteen hundred or two thousand had assembled and were standing in the partially congealed mud of the only public thoroughfare of the town. The weather was pleasant for the season, with no snow, but a little frostwork of ice bordered the streams, and the sun shone with an October warmth and serenity. The urchins of the neighborhood were dodging in and out among the crowd, in merry pastime; and the great gathering, with all its appointments, wore more of a commemorative than retributory aspect. And as this was the day preceding "Forefathers' Day," one unacquainted with the

sterner matters in hand, might readily have mistaken it for an old-time New England festival. The illusion, however, would have been instantly dispelled on listening to the various opinions advanced by the miners, while arranging the mode of trial. It was finally determined that the investigation should be made in the presence of the entire assemblage, — the miners reserving the final decision of all questions. To avoid all injustice to people or prisoners, an advisory commission of twelve men from each of the districts was appointed; and W. H. Patton of Nevada, and W. Y. Pemberton of Virginia City, were selected to take notes of the testimony.

Col. Wilbur F. Sanders and Hon. Charles S. Bagg, attorneys, appeared on behalf of the prosecution, and Messrs. Alexander Davis and J. M. Thurmond for the prisoners. Ives was the first prisoner put upon trial. It was late in the afternoon of the 19th before the examination of witnesses commenced. The prisoner, secured by chains, was seated beside his counsel. The remainder of that day, and all the day following, had been spent; and when the crowd assembled on the morning of the 21st, the prospect for another day of unprofitable wrangling, long speeches, captious objections, and personal alterca-

COLONEL WILBUR F. SANDERS,
Principal Prosecutor of George Ives.

tions, was as promising as the day before ; but the patience of the miners being exhausted, they informed the court and people that the trial must close at three o'clock that afternoon. This announcement was received with great satisfaction.

I am unable from any facts in my possession to recapitulate the testimony. Long John was admitted to testify under the rule of law regulating the reception of State's evidence. Among other things it was established that Ives had said in a boastful manner to his associates in crime, —

"When I told the Dutchman I was going to kill him, he asked me for time to pray. I told him to kneel down then. He did so, and I shot him through the head just as he commenced his prayer."

Two *alibis* set up in defence failed of proof, because of the infamous character of the witnesses. Many developments of crimes committed jointly by the prisoner and some of his sympathizing friends, were made, which had the effect to drive the latter from the Territory before the close of the trial, but for which his conviction might possibly have been avoided.

The prisoner was unmoved throughout the trial. Not a shade of fear disturbed the immobility of his features. Calm and self-possessed,

he saw the threads of evidence woven into strands, and those strands twisted into coils as inextricable as they were condemnatory, and he looked out upon the stern and frigid faces of the men who were to determine his fate with a gaze more defiant than any he encountered. There were those near him who were melted to tears at the revelation of his cruelty and bloodthirstiness; there were even those among his friends who betrayed in their blanched lineaments their own horror at his crimes; but he, the central figure, equally indifferent to both, sat in their midst, as inflexible as an image of stone.

The scene, by its associations and objects, could not be otherwise than terribly impressive to all who were actors in it; it wanted none of the elements, either of epic force or tragic fury, which form the basis of our noblest poems. A whole community, burning under repeated outrages, sitting in trial on one of an unknown number of desperate men, whose strength, purposes, even whose persons, were wrapped in mystery! How many of that surging crowd now gathered around the crime-covered miscreant, might rush to his rescue the moment his doom should be pronounced, no one could even conjecture. No man felt certain that he knew the sentiments of his neighbor.

None certainly knew that the adherents of the criminal were weaker, either in numbers or power, than the men of law and order. It was night, too, before the testimony closed; and in the pale moonlight, and glare of the trial fire, suspicion transformed honest men into ruffians, and filled the ranks of the guilty with hundreds of recruits.

The jury retired to deliberate upon their verdict. An oppressive feeling, almost amounting to dread, fell upon the now silent and anxious assemblage. Every eye was turned upon the prisoner, seemingly the only person unaffected by surrounding circumstances. Moments grew into hours. "What detains the jury? Why do they not return? Is not the case clear enough?" These questions fell upon the ear in subdued tones, as if their very utterance breathed of fear. In less than half an hour they came in with solemn faces, with their verdict, — Guilty! — but one juror dissenting.

"Thank God for that! A righteous verdict!" and other like expressions broke from the crowd, while on the outer edge of it, amidst mingled curses, execrations, and howls of indignation, and the quick click of guns and revolvers, one of the ruffians exclaimed, —

"The murderous, strangling villains dare not hang him, at any rate."

Just at this moment a motion was made to the miners, "that the report be received, and the jury discharged," which, with some little opposition from the prisoner's lawyers, was carried.

Some of the crowd now became clamorous for an adjournment; but failing in this, the motion was then made, "that the assembly adopt as their verdict the report of the committee."

The prisoner's counsel sprung to their feet to oppose the motion, but it was carried by such a large majority, that the assemblage seemed at once to gather fresh life and encouragement for the discharge of the solemn duty which it imposed. There was a momentary lull in the proceedings, when the people found that they had reached the point when the execution of the criminal was all that remained to be done. They realized that the crisis of the trial had arrived. On the faces of all could be read their unexpressed anxiety concerning the result. What man among them possessed the courage and commanding power equal to the exigencies of the occasion!

At this critical moment, the necessity for prompt action, which had so disarranged and

defeated the consummation of the trial of Stinson and Lyons, was met by Colonel Sanders, one of the counsel for the prosecution, who now moved, —

"That George Ives be forthwith hanged by the neck, until he be dead."

This motion so paralyzed the ruffians, that, before they could recover from their astonishment at its being offered, it was carried with even greater unanimity than either of the previous motions, the people having increased in courage as the work progressed. Some of the friends of Ives now came up, with tears in their eyes, to bid him farewell. One or two of them gave way to immoderate grief. Meantime, Ives himself, beginning to realize the near approach of death, begged piteously for a delay until morning, making all those pathetic appeals which on such occasions are hard to resist. "I want to write to my mother and sister," said he; but when it was remembered that he had written, and caused to be sent to his mother soon after he came to the country, an account of his own murder by Indians, in order to deceive her, no one thought the reason for delay a good one.

"Ask him," said one of the crowd, as he held the hand of Colonel Sanders, and was in the

midst of a most touching appeal for delay, "ask him how long a time he gave the Dutchman."

He, however, made a will, giving everything to his counsel and companions in iniquity, to the entire exclusion of his mother and sisters. Several letters were written under his dictation by one of his counsel.

In the mean time, A. B. Davis and Robert Hereford prepared a scaffold. The butt of a small pine, forty feet in length, was placed on the inside of a half-enclosed building standing near, under its rear wall, the top projecting over a cross-beam in front. Near the upper end was fastened the fatal cord, and a large dry-goods box about five feet high was placed beneath for the trap.

Every preparation being completed, Ives was informed that the time for his execution had come. He submitted to be led quietly to the drop, but hundreds of voices were raised in opposition. The roofs of all the adjacent buildings were crowded with spectators. While some cried, "Hang the ruffian," others said, "Let's banish him," and others shouted, "Don't hang him." Some said, "Hang Long John. He's the real murderer," and occasionally was heard a threat, "I'll shoot the murdering souls," accompanied by

curses and epithets. The flash of revolvers was everywhere seen in the moonlight. The guards stood grim and firm at their posts. The miners cocked their guns, muttered threats against all who interfered, and formed a solid phalanx which it would have been madness to assault.

When the culprit appeared upon the platform, instant stillness pervaded the assembly. The rope was adjusted. The usual question, "Have you anything to say?" was addressed to the prisoner, who replied in a distinct voice, —

"I am innocent of this crime. Alex Carter killed the Dutchman."

This was the only time he accused any one except Long John.

He then expressed a wish to see Long John, and his sympathizers yelled in approbation; but as an attempted rescue was anticipated, the request was denied.

When all the formalities and last requests were over, the order was given to the guard, —

"Men, do your duty."

The click of a hundred gun-locks was heard, as the guard levelled their weapons upon the crowd, and the box flew from under the murderer's feet, as he swung "in the night breeze, facing the pale moon, that lighted up the scene of retributive

justice." The crowd of rescuers fled in terror at the click of the guns.

"He is dead," said the judge, who was standing near him. "His neck is broken."

Henry Spivey, the juror who voted against the conviction of Ives, was a thoroughly honest and conscientious man. He was not satisfied that the evidence showed Ives to be guilty of the murder of Tiebalt, and as this was the specific charge against him, he could not vote against his conscience. He said that if Ives had been tried as a road agent, he would have voted for his conviction.

The highest praise is due to Colonel Sanders for the fearlessness and energy he displayed in the conduct of this trial; for it furnished an example which was not lost upon the law and order men in all their subsequent efforts to rid the Territory of the ruffians.

CHAPTER VI.

RESULT OF IVES'S EXECUTION.

EFFECT OF IVES'S EXECUTION — LONG JOHN AND "TEX" ACQUITTED — GEORGE HILDERMAN TRIED, CONVICTED, AND BANISHED — FORMATION OF A VIGILANCE COMMITTEE — PURSUIT OF ALEX CARTER — MEET WITH YAGER ("RED") IN DEER LODGE — DISAPPOINTMENT — RETURN BY WAY OF POINT OF ROCKS — ARREST OF "RED" AT RATTLESNAKE, AND OF BROWN AT DEMPSEY'S — "RED" DISCLOSES THE NAMES OF MANY OF THE MEMBERS OF PLUMMER'S BAND — "RED" AND BROWN EXECUTED ON THE PAS-SAM-A-RI.

THE confederates of Ives spared no efforts, while his trial was in progress, to save him. When intimidation failed, they appealed to sympathy; and when that proved unavailing, it was their intention, by a desperate onslaught at the last moment, to attempt a forcible rescue. They were deterred from this by the rapid clicking of the gun-locks at the moment of the execution. All through the weary hours of the trial, their hopes were encouraged with the belief that

Plummer, their chief, would come, and demand the custody of Ives; and if refused, obtain it by a writ of *habeas corpus*, in the name of the civil authorities of the Territory. But if he obeyed the summons of Clubfoot George, which is at best problematical, he acted no conspicuous part. A saloon-keeper by the name of Clinton was very positive that he saw him drink at his bar a few moments before the execution, and that he immediately went out to lead the "forlorn hope" of the roughs. Some other person was probably mistaken for the robber chief, as he was not recognized by any others of the crowd present at the time. In fact he had enough to do, to make provision for his own safety; for Rumor, with her thousand tongues, had carried the intelligence of the arrest of Ives to Bannack, before the arrival there of Clubfoot George. He found the people wild with excitement over a version of the arrest, which Plummer himself had already circulated, coupled with a statement that a Vigilance Committee had been formed at Virginia City, a number of the best citizens hanged, and that from three hundred to five hundred armed men were on the march to Bannack, with the intention of hanging him, Ned Ray, Buck Stinson, George Crisman, A. J. McDonald, Thomas Pitt, and others. This antici-

patory announcement was made with the hope that by mingling the respectable names of Crisman, McDonald, and Pitt, with those of Stinson, Ray, and his own, he might divert, or at least divide, the attention which would otherwise inculpate only the real villains. It produced a momentary sensation, but failed of effect.

George Ives was no common desperado. Born of respectable parents, he was reared at Ives's Grove, Racine County, Wisconsin. The foreground of his life was blameless; and it was not until he came to the West, that he developed into the moral monster we have seen. His career as a miner in California, in 1857–8, though wild and reckless, was unstained by crime. No accusation of dishonesty was made against him, until after his employment as a herder of government mules belonging to the military post at Walla Walla, in Washington Territory. The heavy storms of that latitude, often destructive to herds in the mountains, afforded him opportunity from time to time, by reporting the fatality to the herd in his charge, greater than it was, to obtain for himself quite a large number of animals. The deception was not discovered until after his departure. He was by turns a gambler and a rowdy in all the mining settlements made on Salmon river. His down-

ward course, once commenced, was very rapid. On one occasion he surprised the man who had employed him as a herder, by riding into a saloon kept by him, at Elk City. After the man had seized the horse by the bridle, Ives drew and cocked his pistol to shoot him, but was prevented by a fortunate recognition of his old employer. He apologized, and withdrew; and on several occasions afterwards, proffered him the gray horse he rode as a present, which the gentleman, convinced that Ives had stolen the animal, as often declined to accept. He was only twenty-seven years of age at the close of his bloody career in Montana. His appearance was prepossessing. In stature nearly six feet, with light complexion, neatly shaven face, and lively blue eyes, no one would ever have suspected him of dishonesty, much less of murder, and cold-blooded heartlessness. And yet, probably, few men of his age had ever been guilty of so many fiendish crimes.

George Hilderman was fortunate in being put upon trial immediately after the execution of Ives. Ten days later he would have been hanged upon the same evidence. It was proved that he knew of the murder of Tiebalt, and of the murder of the unknown man near Cold Spring ranche, neither of which he had divulged. He had even

concealed the stolen mules, and knew the persons engaged in the stage robberies, and was found guilty upon general principles, but recommended to mercy. Upon being informed of the verdict, he dropped upon his knees, and exclaimed, —

"My God! is it so!"

He then made a statement confirming all that Long John had testified to concerning Ives.

The people commiserated his hapless condition. He was an old man, weak, somewhat imbecile. They concluded that his silence had been enforced by the threats of Ives and his associates, and that, as there was no proof implicating him directly with robbery or murder, they would sentence him to banishment from the Territory. Ten days were given him in which to leave. Glad to escape with his life, he applied to Plummer for assistance. Plummer advised him to remain; but the old man took wiser counsel from his fears. He decided to go. Plummer gave him a pony and provisions, and he left Montana forever.

Hilderman was possessed of a coarse humor, which he had lost no opportunity to demonstrate, while a sojourner at Bannack. It made him quite a favorite with the miners, until they became suspicious of his villanous propensities. He was also a notorious "bummer," and was oftener indebted

to his humor, which was always at command, than his pocket, which was generally empty, for something to eat. In width, his mouth was a deformity, and the double row of huge teeth firmly set in his strong jaws gave to his countenance an animal expression truly repulsive. He was the original of the story of "The Great American Pie-biter." This feat of spreading his jaws so as to bite through seven of Kustar's dried-apple pies, had been frequently performed by him, in satisfaction of the wager he was ever on hand to make of his ability to do it. On one occasion, however, he was destined to be defeated. A miner, who had been victimized by him, arranged with Kustar, the proprietor of the Bannack Bakery, to have two of the pies inserted in the pile without removing the tin plates in which they had been baked, the edges of which were concealed by the overlapping crusts. Hilderman approached the pile, and spreading his enormous mouth, soon spanned it with his teeth. The crunch which followed, arrested by the metal, was unsuccessful. He could not understand it, but, despite the vice-like pressure, the jaws would not close. The trick not being discovered, he paid the wager, declaring that Kustar made the toughest pie-crust he had ever met with.

Long John purchased his freedom by his testimony, and nothing appearing against "Tex" at the time, he also was released.

The execution of Ives had a terrifying effect upon the ruffian horde; though a few of them put a bold face upon the matter and were as loud in their threats as ever. The prominent actors in that drama were singled out for slaughter, but no serious instance of personal assault occurred. The ruffians felt secure, as long as they were unknown, and the only revelation yet made was insufficient to implicate any of them with the numerous murders and robberies that had been committed. Facts had appeared upon the trial, making it probable that Carter was accessory to the murder of Tiebalt. The assassination of Dillingham was unavenged. Either of these causes, in the excited state of the public mind, was sufficient to remind the people that the work they had to perform was but just begun. If what they had done was right, it would be wrong to permit others equally guilty to escape. Carter, Stinson, and Lyons must be punished.

This spontaneity of thought brought a few of the citizens of Virginia and Nevada into consultation the day following the execution; and before the close of the succeeding day, a league was

entered into, in which all classes of the community united, for the punishment of crime and the protection of the people. Before the organization of this committee was completed, a fresh impulse was given to the public indignation on receipt of intelligence that Lloyd Magruder, a merchant of Elk City, and the independent Democratic candidate for Congress, who had been trading in Virginia City during the fall, had, while on his return to his home, with four others, been cruelly murdered and robbed by a number of the gang, in the Bitter Root mountains. Full particulars of this terrible tragedy will be given in the two following chapters.

Magruder was very popular with the people of Virginia City. The committee went to work immediately. Twenty-four of them, well mounted, and provisioned for a long ride, started in pursuit of Carter. That villain, accompanied by William Bunton, Graves, and several others, in anticipation of arrest, left as soon as the trial of Ives was over, for the west side of the range. The pursuers followed on his trail as rapidly as possible, into the Deer Lodge valley. While riding down the valley, the vanguard of the scouts met Erastus Yager, who from the redness of his hair and whiskers was familiarly called "Red." He in-

formed them that Carter and his companions were lying drunk at Cottonwood (since Deer Lodge City), and that they avowed themselves good for at least thirty of any men that might be sent to arrest them.

The party had suffered severely from the wintry blasts and storms, especially while crossing the divide; and they were glad that both strategy and comfort favored their detention for the next twenty hours, at the ranche of John Smith, seventeen miles above Cottonwood. At three o'clock in the afternoon of the next day, they left for Cottonwood, expecting to surprise and capture the fugitive without difficulty. How great was their disappointment, to find that both he and his companions had fled. A distant camp-fire in the mountains at a later hour convinced them that further pursuit at that time would end in failure. They learned upon inquiry that the ruffians had received a message from Virginia City, warning them of the approach of the Vigilantes. And this intelligence was afterwards confirmed by a letter which was found at their camping-ground, the writing of which was recognized as that of one George Brown, who was supposed to belong to the gang. It afterwards transpired that "Red" or Yager was the messen-

ger who brought this letter, and that he had killed two horses on the expedition. Disappointed in the object of their search, the scouts now determined to return by the way of Beaverhead Rock, and, if possible, arrest both Brown and "Red" for their criminal interference.

Their sufferings from exposure to the keen December storms were intense. Arriving at Beaverhead, they camped in the willows, without shelter or fire, except such as could be enkindled with green willows. Some of their animals strayed to a cañon to escape the severity of the storm. After remaining in camp at this place for two days, they ascertained that "Red" was at Rattlesnake, twenty miles distant. A small party of volunteers started immediately to arrest him, while the others, on the route to Virginia City, stopped at Dempsey's to await their return.

At Stone's ranche the pursuers obtained fresh horses from the stage stock of Oliver & Co., and resumed their dismal journey to Rattlesnake. The weather was intensely cold, but this offered no impediment to the pursuit of their journey. Arriving at Rattlesnake, they surrounded the ranche, while one of their number entered. Stinson and Ray, both present, had in their capacity as deputies of Plummer arrested a man, whom

they held in custody. Stinson, who disliked his visitor, confronted him with his revolver; but seeing a like implement already in the hands of the scout, who "had the drop" on him, he returned his weapon to its sheath.

"I have come to arrest 'Red' for horse-stealing," said the scout.

On hearing this, Stinson and Ray released their prisoner, on his promise to go immediately to Bannack and surrender himself. The man started forthwith to comply with his promise.

Meantime the scout joined his party outside, and they all rode hurriedly to a wakiup a few hundred yards up the creek, which they surrounded while the leader entered, observing as he did so, —

"It's a mighty cold night. Won't you let a fellow warm himself?" Advancing towards the fire, his eyes fell upon "Red." Raising his revolver, he said, "You're the man I'm looking for. Come with me."

"Red" asked no questions, and exhibited no terror. Putting on his hat, and gathering his blankets under his arm, he did as he was ordered, with as much apparent nonchalance as if he were going on a holiday excursion. When told that he would be taken to Virginia City, he simply manifested by a glance that he fully com-

prehended the situation, and acted in all respects, while a prisoner, like one who knew that his doom was irrevocable. The scouts took him down to the ranche, where they passed the night.

They left early the next morning; "Red" unarmed, on his own horse, and riding beside one of the scouts. The dreary ride through snow and wind was enlivened by the stumbling mule of the leader, which on one occasion rolled over, and after safely depositing its rider, made two or three somersaults down a steep bank, plunging headlong into a snowdrift at the bottom, which completely enveloped him.

At Dempsey's the captors joined the main party. Fatigued with the journey through the drifts, they took supper, provided for the security of their prisoner, and enjoyed a night's repose. Brown, the man who had written the warning missive to Carter, was the bar-keeper, and a sort of general factotum of the ranche. He had been for some time suspected as a petty thief and robber, without the courage needful to engage in graver offences. The Vigilantes saw that he was terrified, as soon as they arrived; though unconscious of the evidence they had obtained against him.

In the morning the captain of the Vigilantes,

in a private interview with "Red," charged him with being connected with the robber horde. "Red" denied all knowledge of its existence.

"Why, then," inquired the captain, "should you have been at such pains to apprise the rascals that the Vigilantes were on their track?"

"It was the most natural thing in the world," "Red" replied. "I stopped here on my way to Deer Lodge, and Brown, on being told of my destination, asked me to take a letter to Alex Carter and some friends. I knew no reason why I should refuse, and did so."

Brown was then called in, and "Red" repeated the statement in his presence. Brown did not deny it, but betrayed by his blanched cheeks and trembling limbs that it was true. The captain, laying his hand upon his shoulder, and looking him steadily in the eye, said, —

"Brown, you must consider yourself under arrest; we will at once proceed to a full investigation of this matter. It looks very dark for you."

He was put under guard, to await the termination of the trial of "Red," which was at once commenced. When this was over, Brown was subjected to a second examination before the entire company.

"Did you write this letter of warning?" inquired the captain.

"I did," replied Brown.

"Why?"

"'Red' came to Dempsey's and said he was going to see the boys, and asked me if I had any word to send them, offering to carry it for me. I wrote them that the Vigilantes were after them, and advised them to leave."

No other explanation was given; and on their own confessions, and some additional proof showing that "Red" had made inconsistent statements to different persons belonging to the Vigilantes, while passing them on his return from Cottonwood, with a view to deceive them as to the whereabouts of Carter, — the company withdrew to the Stinking water bridge, to decide upon the guilt or innocence of the prisoners.

"Boys," said the captain, addressing the assemblage, "you have heard what these men have had to say for themselves. I want you to vote according to your consciences. If you think they ought to suffer punishment, say so; if you think they ought to go free, vote for it. Be very careful to do the right thing for yourselves, as well as for the prisoners. All those in favor of hanging them, step to the right side of the

bridge; and those who are for letting them go, to the left side."

So thoroughly convinced were the men, of the guilt and complicity of the prisoners with the road-agent gang, that every man passed immediately to the right.

The culprits started immediately, under the escort of seven men and a leader, in the direction of Virginia City. Two hours afterwards they arrived at Lorrain's ranche, where they were joined at sundown by the other members of the company, who, after a brief consultation, rode on to Virginia City. After they had gone, the leader lay down in his blanket on the parlor floor, to snatch a few hours of repose. Precisely at ten o'clock, he was awakened by a slight shake, and the words, —

"The hour has arrived. We mean business, and are waiting for you."

He arose and went to the bar-room, where Brown and "Red" lay in the corner asleep. "Red" was the first to awaken. Rising to his feet, he addressed the leader in a sad and desponding tone, —

"You have treated me like a gentleman," said he. "I know that my time has come. I am going to be hanged."

"That's pretty rough, 'Red,'" interjected the leader.

"Yes. It's pretty rough, but I merited it years ago. What I want to say is, that I know all about this gang. There are men in it who deserve death more than I do; but I should die happy, if I could see them hanged, or know it would be done. I don't say this to get off. I don't want to get off."

"It will be better for you, 'Red,'" said the Vigilantes, "at this time to give us all the information in your possession, if only for the sake of your kind. Times have been very hard. Men have been shot down in broad daylight, not alone for money, or even hatred, but for mere luck and sport, and this must have a stop put to it."

"I agree to it all," replied "Red." "No poor country was ever cursed with a more bloodthirsty or meaner pack of villains than this, — and I know them all."

On being urged by the leader to furnish their names, which he said should be taken down, "Red" told him that, —

Henry Plummer was chief of the band; Bill Bunton, stool pigeon and second in command; George Brown, secretary; Sam Bunton, roadster; Cyrus Skinner, fence, spy, and roadster; George

Shears, horse thief and roadster; Frank Parish, horse thief and roadster; Hayes Lyons, telegraph man and roadster; Bill Hunter, telegraph man and roadster; Ned Ray, council-room keeper at Bannack City; George Ives, Stephen Marshland, Dutch John (Wagner), Alex Carter, Whiskey Bill (Graves), Johnny Cooper, Buck Stinson, Mexican Frank, Bob Zachary, Boone Helm, Clubfoot George (Lane), Billy Terwiliger, Gad Moore, were roadsters.

These men were bound by an oath to be true to each other, and were required to perform such services as came within the defined meaning of their separate positions in the band. The penalty of disobedience was death. If any of them, under any circumstances, divulged any of the secrets or guilty purposes of the band, he was to be followed and shot down at sight. The same doom was prescribed for any outsiders who attempted an exposure of their criminal designs, or arrested any of them for the commission of crime. Their great object was declared to be plunder, in all cases without taking life if possible; but if murder was necessary, it was to be committed. Their pass-word was "Innocent." Their neckties were fastened with a sailor's knot, and they wore mustaches and chin whiskers. He was himself a member of the band, but not a murderer.

Among other disclosures, "Red" attributed his hapless condition to Bill Hunter, at whose instigation, years before, he had entered upon a career of infamy. He hoped the committee would not spare him. He gave the particulars of the robberies of the coaches, and the names of all engaged in them, and in the commission of many other crimes.

After listening to this frightful narrative, and making such memoranda as they might need for future operations, the little party of Vigilantes carefully reconsidered the vote they had taken, and decided that the two culprits should be executed immediately. In the course of the narrative, "Red" had fully implicated Brown. In the Indian campaign in Minnesota in 1862, Brown was a scout for Gen. William R. Marshall, who regarded him as not a notoriously bad man, but as one who had little moral principle or force of character, and who was easily influenced by his associates.

Less than a quarter of a mile distant, in rear of Lorrain's, on a beautiful curve of the Passam-a-ri, stood several majestic cottonwoods, by far the finest trees in all that region. Two, which stood side by side, were selected as the scaffolds. It was a dim starlit night, and a lantern

was necessary to complete the preparations for the execution. The cold blast from the immediate mountains howled fearfully as the little procession tramped through the snow, with their prisoners in charge, to the fatal spot. The night was not darker than the gloom which had settled upon the minds and hearts of these condemned wretches. "Red," however, was perfectly collected. Not a sigh escaped him, nor a tear dimmed his eyes. Brown was all excitement. He begged piteously for mercy, and prayed for his Indian wife and family. They were in Minnesota. "Red," more affected by the terror and moans of his comrade than his own hapless condition, said to him in a sad but firm tone, —

"Brown, if you had thought of this three years ago, you would not be here now, or give these boys this trouble."

A few branches were clipped from a lower limb of each of the trees, and the ropes suspended. Two stools brought from the ranche, by being placed one upon the other, served the purpose of a drop. A Vigilante, while adjusting the noose to the neck of Brown, stumbled, and both he and Brown fell together into the snow. Recovering himself, he said, by way of apology, —

"We must do better than that, Brown."

It was a chance remark, proceeding from a motive which it failed to express; better interpreted by those who heard it, than I fear it will be by my readers.

When all was ready, Brown, with the petition upon his lips, "God Almighty save my soul," was launched from the platform, and died without a struggle.

"Red" witnessed the scene unmoved. When his turn came, and he stood upon the frail trestle, he looked calmly around upon his executioners.

"I knew," said he, "that I should be followed and hanged, when I met the party in Deer Lodge valley; but I wish you would chain me, and not hang me until after I have seen those punished who are guiltier than I."

Just before he fell, he shook hands with all, and then turning to the Vigilante who had escorted him to Lorrain's, he said, —

"Let me beg of you to follow and punish the rest of this infernal gang."

"'Red,'" replied the man, "we will do it, if there's any such thing in the book."

"Good-by, boys," said "Red," "you're on a good undertaking. God bless you."

The stools fell, and the body of the intrepid freebooter swung lifeless in the midnight blast.

CHAPTER VII.

LLOYD MAGRUDER.

HILL BEACHY'S DREAM — LLOYD MAGRUDER'S TRIP FROM LEWISTON TO BANNACK — FOLLOWED BY HOWARD, ROMAINE, LOWRY, PAGE, AND ZACHARY — COMPLETES HIS SALES AT VIRGINIA CITY, AND SETS OUT ON HIS RETURN — HOWARD, LOWRY, ROMAINE, AND PAGE EMPLOYED AS ASSISTANTS ON THE ROUTE — THE BROTHERS CHALMERS, CHARLES ALLEN, AND EDWARD PHILLIPS, ACCOMPANY THEM — MURDER OF MAGRUDER, THE CHALMERS BROTHERS, PHILLIPS, AND ALLEN — SUBSEQUENT PLUNDER OF THE TRAIN — CRUEL SLAUGHTER OF THE HERD — ROBBERS FOILED IN ATTEMPTING TO CROSS THE COLUMBIA RIVER — THEY ARRIVE AT LEWISTON — RECOGNIZED BY BEACHY — LEAVE LEWISTON.

"IN the name of all that is wonderful, Hill, what has kept you up till this late hour?" was the eager inquiry of Mrs. Maggie Beachy of her husband, when that gentleman entered his house at two o'clock in the morning.

"Well, Maggie," replied her husband, "you remember my dream about Lloyd Magruder? I

fear it has all come true. Indeed, I am perfectly certain poor Lloyd has been murdered."

"Nonsense, Hill," rejoined the wife. "Will you never have done with your unfounded suspicions? You will make yourself the laughing-stock of the whole country, and bring all the roughs in it about your ears, if you don't cease talking about Magruder."

"I can't help it, wife," persisted Beachy. "Those three rascals, Doc. Howard, Chris Lowry, and Jim Romaine, with another hangdog-looking fellow, came into town to-night in disguise, and, under assumed names, took passage in the coach to Walla Walla. They followed Magruder to the Bannack mines, and have doubtless killed him while on his way home. Their cantinas are filled with his gold dust."

"How improbable, Hill," said Mrs. Beachy, smiling. "Why, only yesterday Lloyd's wife received a letter from him, saying that he would not start for twelve days, and that he would have a strong company with him."

"Well, well, Maggie, let's drop the subject. Time will tell whether my suspicions are correct."

Let us inquire into the cause of Hill Beachy's terrible suspicion.

Three months before this conversation occurred,

Lloyd Magruder, a wealthy merchant of Elk City, loaded a pack train with merchandise, and made the long and dangerous journey of five hundred miles, by an Indian trail over the mountains to the Bannack mines in that part of Idaho afterwards embraced in the boundaries of Montana. The night preceding his departure, Hill Beachy, the landlord of the Luna House in Lewiston, a warm personal friend of Magruder, dreamed that he saw Chris Lowry dash Magruder's brains out with an axe. He related the dream to his wife the next morning, and expressed great fears for the safety of his friend. She was desirous of telling Magruder; but as his investment was large, and he was ready to start upon his journey, Beachy thought it would only introduce a disturbing element into the enterprise, without effecting its abandonment, and expose him to the laughter and sneers of the public. But he did not conceal the anxiety which the dream had occasioned in his own mind, and was greatly relieved when news came, six weeks afterwards, of the safe arrival of Magruder at Bannack.

On the morning of the day after Magruder left Lewiston, Howard, Lowry, and Romaine, in company with Bob Zachary and three other roughs, departed with the avowed intention of

going to Oregon. As soon, however, as they had proceeded a sufficient distance in that direction to escape observation, they turned towards Bannack, and after a few days' journey were joined by William Page, an old mountain teamster. The party followed on in the track of Magruder's train, which they overtook when within three days' journey of Bannack, and accompanied it to its place of destination.

Magruder was disappointed, on his arrival at Bannack, to learn that the camp had been deserted by most of the miners, who had gone to the extensive placer mines in Alder gulch at Virginia City, seventy-five miles distant, where the writer was then residing. Three days afterwards, however, he was well satisfied, on his arrival there, to find an active mining camp of six thousand inhabitants, all eager to purchase his wares as rapidly as they could be displayed. Howard, Lowry, Romaine, and Page found comfortable quarters in the building occupied by Magruder, and were provided by him with employment during his six weeks' stay in Virginia City. No one, except himself, knew better than they the amount of his accumulations. His confidence in them was unbounded. On his offer to pay them two hundred dollars each, they had agreed to accom-

pany him as assistants and guards on his return to Lewiston. The negotiations with Magruder for their employment were conducted by Howard, who was a physician of marked ability, and whose pleasing address was well calculated to allay all suspicion concerning their real motives in joining the party. Howard, Lowry, and Romaine, while at Lewiston, were classed among the vilest roughs of the town. The former two were understood to be escaped convicts from the California penitentiary. They had been concerned in numerous robberies, and were suspected of connection with Plummer's infamous gang. Magruder, whose residence was at Elk City, was entirely unacquainted with their history, and, from the simulated fidelity of their conduct while in his employ, had no reason to suspect them of criminal designs. He was very fortunate in the disposition of his merchandise, realizing therefor twenty-four thousand dollars in gold dust, and a drove of seventy fine mules.

A few days before his departure from Virginia City, Charley Allen, a successful miner, and two young men, brothers, by the name of Horace and Robert Chalmers, who had just arrived in the mountains from Boonville, Missouri, and William Phillips, an old pioneer in the country, arranged

to unite their trains with his, and all make the trip together as one company. Romaine tried to dissuade Phillips from going with the others, but gave no reason for what seemed to the latter a strange request.

It was a bright October morning when the train left Virginia City, and moved slowly down Alder creek, into the picturesque valley of the Pas-sam-a-ri. The sun shone; the mountain atmosphere was crisp and exhilarating. The long plain stretching away to the base of the Ruby range, reflected upon its mirror-like surface that magnificent group of pine-covered mountains, along whose sides glinted in the sunbeams the bewitching hues that give them their name. Towering on the right, rose the twin pinnacles of Ramshorn and Mill Creek; and, afar in the distance, painted upon the horizon, was the superb outline of the main range of the old Rockies, and Table Mountain lifting its glittering plateau of snow far above the surrounding peaks. Filled with the inspiration naturally enkindled by these majestic views, the men, with all the animation and abandon of uncaged schoolboys, shouted and sung as they galloped along and hurried the train across the widespread valley. Into the hills, over the mountains, across the streams, through the cañons

they scampered, entering Bannack the third day, just as the sun was setting.

Business detained them at Bannack the three following days. With the design of misleading the villains at Lewiston who might be on the watch for his return, Magruder sent by a company which left the morning after his arrival, a letter to his wife, telling her of his success, and that he would leave for home with a train strongly guarded, in twelve days. While he was thus planning the way for a safe return, Howard was equally busy in maturing a scheme to rob him on the route. This infernal project, the fruit of long contemplation, he now for the first time unfolded to Lowry and Romaine, who gave it their eager compliance. Meeting with Bob Zachary, he confided it to him; but, on learning that it could not be effected without the possible murder of Magruder, and the four persons accompanying him, Zachary, villain as he was, declined all participation in it. It was understood by the three, that on the eighth day of the journey, when the train would make camp in the Bitter Root mountains, at a distance of one hundred miles or more from any white settlers, they would carry their diabolical design into execution. Howard declared that it could not be done without killing

the five owners of the trains. Page was to be kept in ignorance of the plot until the eve of its performance.

Animated with the hope of an early re-union with his family, Magruder, with his companions, left Bannack one bright autumnal morning, and dashed with his train into the manifold intricacies of the mountain labyrinth. The burden of care with which one is oppressed, while travelling through an uninhabited region, exposed continually to the attacks of Indians and robbers, is always relieved by a sort of wild exhilaration inseparable from the shifting of scenery, and the varied occupations and incidents of the journey. And when day after day passes, without any change in the same monotonous round of employment, men sometimes desire the variety of a brush with the Indians, or a deer chase, or an antelope hunt, to ward off their mental depression. But save an occasional foray upon a herd of antelopes, the train moved safely onward, without impediment. The three ruffians were particularly attentive to the duties required of them, winning golden opinions from those they intended to destroy.

On the evening of the sixth day, the train descended into the valley of the Bitter Root. The lofty range of mountains which now forms

the boundary between Montana and Idaho stretched along the horizon displaying alternate reaches illumined by the departing rays of the sun, and darkened by the shadows of overhanging clouds.

"In three days more," said Magruder, "we shall descend the range into Idaho, and all danger will be over."

Near the close of the second day thereafter, as the mules were slowly creeping up the trail, when near the summit, Howard rode alongside of Page, and in a tone of fearful earnestness said to him, —

"Page, when we go into camp, to-night, drive the mules half a mile away, and remain with them till supper time. We are going to kill Magruder and his four friends. You can help dispose of the bodies when the work is done, and share in the plunder. As you value your own life, you will not breathe a word of this to any one."

Had a thunderbolt fallen at the feet of Page, he could not have been more terrified. Reckless as his life had been, no stain of blood was on his soul. Gladly would he have warned Magruder, but the fearful threat of Howard was in his way. Besides, as Howard had grown into great favor, he felt that he would not be believed. He

decided the conflict with conscience, by resolving to follow the directions of the conspirators.

The spot was not unfamiliar. It had been often occupied for camping purposes, and was specially favored with water and pasturage. It was also sheltered by the impenetrable foliage of a clump of dwarf pines and redwoods. Five minutes' clamber of the vertebrated peak which rose abruptly above the camp-fire, would enable one to survey for many miles the vast volcanic region of mountains, hills, and cañons over which the trail of the traveller, like a dusky thread, stretched on towards Lewiston.

The train drew up on the camping ground a little before dark. The sky was overcast with snow clouds, and the wind blew chill and bleak. Every sign indicated the approach of one of those fearful snowstorms common at all seasons in these high latitudes. All the men except Page, who was with the herd, were gathered around the camp-fire, awaiting supper. As Page, staggering under the burden of his guilty secret, came to the camp in answer to a call to supper, Howard met him, and in an ominous whisper, warned him to retire as soon as his meal was finished, and not to be seen about the camp until he was wanted.

Magruder and Lowry were assigned to stand

guard and watch the herd until ten o'clock, — the hour agreed upon for the commission of the crime. Page had built a fire for their accommodation. As they rose to leave the camp, Lowry, picking up an axe, remarked, —

"We shall probably need some wood, and I'll take the axe along."

Their departure was regarded as a signal for all to retire. Page had spread his blankets and lain down some time before, "not," as he afterwards said, "to sleep, but to await the course of events." Allen crept in by his side. The Chalmers brothers had made their bed twenty yards distant from the camp-fire; and Romaine, armed to perform the part assigned to him, stretched himself beside Phillips, his unsuspecting victim. Howard, the arch and bloody instigator of the brutal tragedy, demon-like, roamed at large, ready for any service, when the hour came, necessary to finish the deed.

The evening wore on. The sleep of toil-worn men comes when it is sought; and soon the only wakeful eyes in the camp were those of the watchers at the herd, Howard, Romaine, and the wretched Page.

The friendly conversation between Magruder and Lowry, as they sat side by side at the fire,

was not interrupted, until the former looked at his watch.

"It is nearly ten," said he, filling his meerschaum, while unconsciously announcing the hour of his doom.

"I will put some wood on the fire," said Lowry, picking up the axe, and rising.

Magruder bent forward towards the fire to light his meerschaum, when the axe wielded by Lowry descended with a fearful crash into his brain. Howard, who had been concealed near, sprung forward, and snatching the axe from Lowry, who seemed for the moment paralyzed at the deed he had committed, struck several additional blows upon the already lifeless body of the unfortunate man. The villains then hurried to the spot where the Chalmers brothers were lying, and while they were despatching them with the axe, Romaine plunged a bowie knife into the abdomen of Phillips, exclaiming at the moment, with an oath, —

"You old fool, I have to kill you. I told you at Virginia City not to come."

Allen, wakened by the death groan of young Chalmers, had risen to a sitting posture, and was rubbing his eyes, when Howard stole behind him, and blew out his brains, by a simultaneous dis-

charge of buck-shot from both barrels of his gun into the back part of his head.

The work of assassination was complete. The murderers, unharmed, were in possession of the gold which had caused the dreadful deed.

Page, who had not left his bed, was now summoned by Howard to assist in the concealment of the bodies. Knowing that his life would pay the forfeit of disobedience, he hurried to the camp-fire, where Lowry greeted him with the soul-sickening words, —

"It's a grand success, Bill. We never made a false stroke."

A heavy snowstorm now set in. The assassins occupied the remainder of the night in destroying and removing the evidences of their guilt. The bodies of their victims were wrapped in blankets, conveyed to the summit of an adjacent ridge, and cast over a precipice into a cañon eight hundred feet deep, where it was supposed they would be speedily devoured by wolves. The camp equipage, saddles, straps, blankets, guns, pistols, everything not retained for immediate convenience, were burned, and all the iron scraps carefully collected, put into a sack, and cast over the precipice. All the while these guilty deeds were in progress, the storm was increasing. When the

morning dawned, not a vestige of the ghastly tragedy was visible. The camp was carpeted to the depth of two feet with snow, and the tempest still raged. The murderers congratulated each other upon their success. No remorseful sensations disturbed their relish for a hearty breakfast. No contrite emotions affected the greedy delight with which each miscreant received his share of the blood-bought treasure. No dread lest the eye of the All-seeing, who alone had witnessed their dark and damning atrocity, should betray them, mingled with the promises they made to themselves of pleasures and pursuits that this ill-gotten gain would buy in the world where they were going. One solitary fear haunted them, — that concerning their escape from the country.

When this all-absorbing subject was mentioned, they saw and felt the necessity of avoiding Lewiston; their presence there would excite suspicion. Howard advised that they should go to a ford of the Clearwater, fifty miles above Lewiston, and cross over and make a hurried journey to Puget Sound. There they could take passage on a steamer to San Francisco or to British Columbia, as after events might dictate. This counsel was adopted. Mounting their horses, they made a last scrutinizing survey of the scene of their

hellish tragedy, now covered with snow, and plunged down the western slope of the mountains, amid the rocks and cañons of Northern Idaho. The expression of Howard, as he reined his horse away from the bloody theatre, may be received as an indication of the sentiments by which all were animated.

"No one," said he, "will ever discover from anything here the performance in which we have been engaged. If we are only true to each other, boys, all is safe."

The animals, with the exception of one horse and seven mules, were abandoned, but, accustomed to follow the tinkle of the bell still suspended to the neck of the horse, the herd soon appeared straggling along the trail behind the company. The heartless wretches, thinking to frighten the animals away, at first shot them one by one as they came within rifle distance. Finding that the others continued to follow, they finally drove the entire herd, seventy or more in number, into a cañon near the trail, and mercilessly slaughtered all the animals composing it.

Avoiding Elk City by a circuitous route, the party, after several days' travel, arrived at the ford of the Clearwater. Two broad channels of the river at this crossing encircled a large island. A

mountain torrent at its best, the river was swollen by recent rains, and its current running with frightful velocity. Page, who was perfectly familiar with the ford, dashed in, and was followed by Lowry. They were obliged to swim their mules before reaching the island, and had still a deeper channel to cross beyond. Romaine and Howard, who had witnessed the passage from the bank, were afraid to risk it. A long parley ensued, which finally terminated in the return of Page and Lowry, and an abandonment of the ford. A single day's rations was all the food the company now possessed. None could be obtained for several days, except at Lewiston, the mention whereof brought their crime before the ruffians with terrible distinctness. But there was no alternative. Risk of detection, while a chance presented for escape, was preferable to physical suffering, from which there was none. They encountered the risk. Near Lewiston they fell in with a rancheman, to whom they committed their animals, with instructions to keep them until their return, and, concealing their faces with mufflers, entered the town at a late hour of the evening.

With the design of stealing a boat, and making a night trip down Snake river, to some point accessible to the Portland steamboats, they pro-

ceeded at once to the river bank fronting the town. Piling their baggage into the first boat they came to, they pushed out into the stream. The wind was blowing fearfully, and the maddened river rolled a miniature sea. They had proceeded but a few rods when a sudden lurch of the boat satisfied them that the voyage was impracticable, and they returned to shore.

Their only alternative now was to secure a passage that night in the coach for Walla Walla, or remain in Lewiston at the risk of being recognized the next day. It was a dark, blustering night. Hill Beachy, whose invariable custom it was to retire from the office at nine o'clock, from some inexplicable cause became oblivious of the hour, and was seated by the stove, glancing over the columns of a much-worn paper. His clerk stood at the desk, preparing the way-bill for the coach, which left an hour later for Walla Walla. The street door was locked. Suddenly the silence without was broken by the heavy tramp of approaching footsteps. A muffled face peered through the window. Beachy's attention was arrested by a hesitating triple knock upon the door, which seemed to him at the time ominous of wrong. Catching the lamp, he hurried to the door, on opening which a tall, well-proportioned

man, in closely buttoned overcoat, with only his eyes and the upper portion of his nose visible, entered, and with a nervous, agitated step, by a strangely indirect, circular movement, advanced to the desk where the clerk was standing.

Addressing the clerk in a subdued tone, he said, "I want four tickets for Walla Walla."

"We issue no tickets," replied the clerk, "but will enter your names on the way-bill. What names?" he inquired.

For a moment the stranger was nonplussed. Recovering himself instantly, with seeming *nonchalance*, he gave the names of John Smith and his brother Joseph, Thomas Jones and his brother Jim; and, throwing three double eagles upon the desk, he hastily departed.

As he closed the door, Beachy said to the clerk, "I'm afraid there will be a stage robbery to-night. Go to the express office and tell the agent not to send the treasure chest by this coach. Don't wake the passenger in the next room. I will see the citizens who have secured passage, and request them to wait until to-morrow."

Still reflecting upon the suspicious conduct of the visitor, Beachy determined to get a sight of his companions. "There are too many Smiths and Joneses to be all right," he said to himself,

as he slipped the hood over his dark lantern and took his way to the hotel where they lodged. Ascertaining that their apartment fronted the street, he stole quietly up to the window, which was protected by shutters with adjustable lattice. This, by a cautious process, he opened, and, peering through, beheld the four inmates, three of whom he recognized as the ruffians who had left Lewiston and gone to Bannack three months before.

More deeply confirmed than at first in the belief that a robbery was intended, he awaited the approach of the coach, designing to make a careful survey of the group after they were seated preparatory to departure. Fifteen or twenty persons, who had heard of Beachy's suspicions, several of whom were old associates of Howard and his companions, followed the coach from the barn to the hotel.

Enveloped in overcoats and blankets, their faces concealed by mufflers, and their hats drawn down to hide their eyes, the four men clambered into the coach. Just as the driver gathered up his lines Beachy opened his lantern, and before the men could wrap their blankets around them, his quick eye detected that two of the number had each a pair of well-filled cantinas on his lap. After

the coach had driven off, he turned to Judge Berry, who was standing near, and, in a low but meaning tone, said, —

"Lloyd Magruder has been murdered."

"What makes you think so?" inquired the judge. "Do you recognize these fellows?"

"Yes, three of them: Howard, Lowry, and Romaine. Their cantinas are filled with Magruder's money. I'll furnish horses and pay all expenses if you and the sheriff will join me, and we'll arrest them to-night."

"Arrest them for what?" asked the judge.

"On suspicion of having murdered Magruder."

"Why, Hill, the whole town would laugh at us. We certainly could not detain them without evidence. Besides, your suspicions are groundless. Mrs. Magruder told me last evening that she did not expect her husband for ten or twelve days. Let matters rest for the present."

"I know that Magruder is dead, and that these villains killed him, as well as if I had seen it done," rejoined Beachy. "From this time forth, I am on their track."

Bidding the judge good-night, he wended his way home, and, on entering his house, held the conversation with his wife with which this chapter opens.

HILL BEACHY,
Lloyd Magruder's Avenger.

CHAPTER VIII.

HILL BEACHY.

BEACHY'S DEVICES TO FERRET OUT THE MURDER — HIS TRIP UP SNAKE RIVER WITH TOM FARRELL — DISAPPOINTMENT — FINDS THE ANIMALS RIDDEN BY THE MURDERERS — THE STORY OF THE SADDLE — THE INDIAN BOY — RECOGNITION OF THE HORSE — BEACHY'S PURSUIT OF THE ROBBERS — PROVIDENTIAL OCCURRENCES — ARRIVAL AT PORTLAND — SUCCESSFUL RUSE — DEPARTURE OVERLAND FOR SAN FRANCISCO — TELEGRAPHS FROM YREKA — ROBBERS ARRESTED — THE LAW'S DELAY — RETURN WITH PRISONERS — PAGE ADMITTED AS STATE'S EVIDENCE — CONVICTION AND EXECUTION OF HOWARD, LOWRY, AND ROMAINE — VIOLENT DEATH OF PAGE.

MR. BEACHY'S convictions gave him no rest. Without a shadow of evidence to sustain him, or a clew to guide him, he went to work to ferret out the crime. His friends laughed at and discouraged him. The roughs of Lewiston threatened him. A few charitably attributed his conduct to mental derangement. The face of every person he met wore a quizzical expression, which seemed

to imply both pity and ridicule. Often, when thwarted, he half resolved to abandon the pursuit, but a voice within whispered him on with assurance of success, and he could not, if he would, recede. Three days were spent in a fruitless search for the animals which he knew must have borne the men to town. At the close of the third day a party arrived from Bannack. The first inquiry he addressed to them after the usual salutation was, —

"Where is Magruder?"

"Hasn't he arrived?" was the surprised rejoinder. "He left four days before us, intending to come through as quickly as possible."

Beachy heard no more.

"He is dead," said he, "and I know the murderers."

"Tut, tut, Hill, you're too fast. He has probably gone around by Salt Lake. He'll be in all safe in a few days."

Beachy resumed his search for the animals. In a few days a man came in from some point above Lewiston, and reported having seen, on his ride down the river, a party of four men encamped in a solitary nook on the opposite bank. The thought flashed through Beachy's brain that they were the murderers, who, thwarted in their effort

to leave the country at Walla Walla, had returned by a circuitous route, in search of a point more favorable.

In Tom Farrell, a harum-scarum dare-devil of the town, Beachy found one man who shared his suspicions. He consented to go with and aid him in arresting these men. It was freezing weather, and the trail was rough and mountainous. Both men were well armed and of undoubted courage. Urging their horses to their utmost speed, they rode on till past the hour of noon, when Tom descried a thin column of smoke ascending from the camp of the supposed freebooters. Securing their horses in a thicket, they crept to a point where, concealed by the willows, they could observe all parts of the camp. Alas for their hopes! The suspected robbers developed into a hunting party of honest miners, who were enjoying a little holiday sport in the mountains. Worn down with fatigue and anxiety, they returned to Lewiston, to encounter afresh the gibes and sneers of the people at the failure of this sorry expedition.

Another day of patient search was rewarded with the discovery of the rancheman who had possession of the animals. Beachy returned from a visit to his ranche, bringing with him one horse

and seven mules, and the saddles, bridles, and other accoutrements, which he submitted to the inspection of the citizens. Not an article was identified as the property of Magruder. One man thought an old saddle resembled one that he had seen in Magruder's possession, but, as old saddles were plenty, this one, without any distinctive marks, was valueless as evidence.

Thus far Beachy's investigations had only involved the subject in deeper mystery; but as day after day passed, bringing no tidings of his friend, he felt an increasing conviction of the great evil that had befallen him. Reflecting upon the partial identification of the saddle, "Perhaps," thought he, "this may furnish a clew. If the saddle ever belonged to Magruder, some of his family will identify it. I have it. Jack will certainly know it. I can but try him." He suspended the saddle on a small peg attached to the stall occupied by his pacing-horse.

Jack was an Indian boy who had been Magruder's hostler for several years. Late in the afternoon Beachy met him.

"Jack," said he, accosting him, "don't you want to take a ride?"

"I am always ready for that, Mr. Beachy."

"Well, our cows haven't come home to-night.

I'll have my pony in the stable in ten minutes, and you can saddle him, and have a good time hunting them. Will you go?"

"All right," replied Jack, "I'll be there."

Beachy immediately went to the stable, and, ascending to the haymow, placed himself in a position where he could observe the actions of Jack when he saddled the pony. The boy was punctual. Leading the pony from the stall, he took down the saddle and placed it on him.

"It's a failure," reflected Beachy, as the boy fastened the girth, and seized the pommel preparatory to mounting.

Just at this moment Jack's eye caught sight of the stirrup. He paused, and, taking it in his hand, surveyed it narrowly. An expression of surprise stole over his face. Dropping the stirrup, he caught up the crupper and examined it more carefully. He then looked at other parts of the saddle in detail. At length he mounted, and, while leaving the stable, looked back with astonished interest upon the crupper. The cows at this time were discovered on their way home. Jack rode around and drove them up, and, dismounting, said to Beachy, who met him at the stable door, —

"Mr. Beachy, this is Massa Magruder's saddle. He took it with him when he went to Bannack. How came it here?"

"How do you know it is his, Jack?"

"By that crupper. There's where I mended it myself with a piece of buckskin. I know it's the same old saddle. I've ridden on it a hundred times."

"A clew at last!" said Beachy. "I'll follow it up. Jack cannot be mistaken."

Calling to some friends who were passing, he told them the result of his experiment. The old saddle was produced, and Jack was examined. Alarmed at the scepticism of his interrogators, Jack wavered in faith, and his testimony only confirmed the belief that Beachy was crazy.

The following day a train was seen descending the mountain by the Nez Perce trail. A tall man, seemingly the leader, who wore a peculiar hat, like Magruder's, was pointed out as the missing man. Hundreds of eyes watched the slow descent of the mules into the valley. The wife of Magruder, whose thoughts and feelings had been alternating between hope and fear for a week or more, awaited with delighted surprise the certain approach of her husband. Hill Beachy looked on with doubt-

ful interest, hoping, but faithless. Alas! it was not Magruder.

> "For him no more the blazing hearth shall burn,
> Or busy housewife ply her evening care."

When the train-master, in reply to their eager inquiries, expressed his own surprise, and told them that Magruder should have reached home ten days before, the people for the first time felt that he might have fallen a victim to robbers. Still they doubted. The crime was too great, involved too many lives, and the probability that he had changed routes and was returning by the way of Salt Lake was greater than that he and his large train had been destroyed.

Firm in his belief, Beachy, like a sleuth-hound, continued to follow the track leading to discovery. "They do not know the desperate character of those villains," he said, as he turned from the crowd to pursue the clew furnished by Jack. His wife, who until this time had feared for his safety at the hands of the town ruffians, now for the first time gave him encouragement.

Falling in company with the men who had just arrived from Bannack, he plied them with inquiries concerning Magruder's operations there.

"Why," observed one, "he told me on the

morning he left that he should surprise his wife, for he had written her the day before that he would not leave for ten days. 'She will tell this to all inquirers,' said he, 'and the roughs of Lewiston will be thrown off their guard. I shall reach home about the time they think I will leave here.'"

"Would you know any of the stock?" inquired Beachy.

"Yes; there was one large, white-faced sorrel horse belonging to some of the party, that was a very good race-horse. I saw him run one night, when some of the boys were at our camp. I think I should know him. They intended to bring him here, and make a race-horse of him."

The only horse which Beachy had found in possession of the rancheman corresponded with this description. He placed him in one of a long range of stalls in his stable, in each of which was a horse, and requested his informant to select him, if possible, from the number. When the man came to the sorrel, he said, —

"If this horse were two or three sizes larger, I should think he might be the one I saw; but he is too small, and I know nothing of the others."

Knowing how much the size of a horse is seemingly increased when in motion, Beachy saddled the sorrel, and told his hostler to lead him to the

end of the street, mount, and run him at his best speed back to the stable. As he dashed down to the spot where Beachy and the man were standing, the latter involuntarily raised his hands and exclaimed, —

"My God! that *is* the identical animal."

"You are sure?" said Beachy.

"I would swear to it," was the instant reply.

"And now," thought Beachy, "I have a white man on my side. The evidence is sufficient for me. To-morrow I start for the murderers."

Armed with requisitions upon the governors of all the Pacific States and Territories, the next morning Beachy, accompanied by the indomitable Tom Farrell, made preparations for his departure. When all was ready, his wife, who had felt more keenly than he had the ridicule, sneers, indifference, and malignity with which his efforts had been regarded, with tearful eyes approached him, and, taking him by the hand, in a tone softened by the grief of parting, said to him, —

"Hill, you must either return with those villains, or look up a new wife."

"The look which emphasized these words," says Beachy, "the expression, the calm, sweet face which said stronger than words that failure would kill her, filled me with new life. They were worth

more than all the taunts I had received, and I bade her adieu with the determination to succeed."

While Mr. Beachy was speaking thus fondly of his wife, whose death had occurred but a few months before he narrated to me these incidents, the tears rolled down his cheeks, — and he added in a voice broken with emotion, "I then felt that the time had come when I needed something more than human help, and I went out to the barn and got down upon my knees and prayed to the Old Father, — and that's something I haven't been much in the habit of doing in this hard country, — and I prayed for half an hour; and I prayed hard; and I promised that if He'd only help me this time in catching these villains, I'd never ask another favor of Him as long as I lived, *and I never have.*"

Three changes were made in the transmission of the mail over the route between Lewiston and Walla Walla. The log dwellings and stables at the several stations were the only evidences of settlement for the entire distance. Beachy was the proprietor of the stage line. His station-keepers had been in the habit of transporting way travellers over parts of the road, for pay, at times when the horses were unemployed. This practice had been strictly forbidden by Beachy. But

when he and Tom Farrell drove up to the first station, such was his anxiety to overtake the fugitives, that he did not stop to reprimand the unfaithful employé, who had just harnessed the stage horses to a light wagon, with the intention of turning a dishonest penny. He took the wagon himself, and without delay drove to the next station, arriving there in time to hitch a pair of horses just harnessed by the hostler for his own use, to his wagon, and hurry on to another station. Here, as he and Tom alighted, a light buggy with a powerful horse came alongside. The driver was an old acquaintance. He was going to Walla Walla in haste for a physician. Beachy offered to do his errand if he would allow him to proceed in his buggy. The gentleman assented. The horse's flanks were white with foam when, at dark, Beachy and Tom Farrell rode into Walla Walla.

Before entering the town, Beachy concealed his face in a muffler, to avoid recognition. Half-way up the street he observed a man, of whom he expected to obtain information, engaged with another in conversation. Jumping from the wagon he approached him cautiously, and, by a significant grip, drew him aside and made known his business.

"They left four days ago for Portland," said the man, "with the avowed intention of taking the first boat to San Francisco. They were here two days, lost considerable at faro, but took plenty of gold dust with them."

"Did they explain how they obtained their money?"

"Yes. Howard said that they, in company with five others, had purchased a water ditch in Boise Basin, and had been renting the water to the miners at large rates. The miners became dissatisfied with their prices, and a fight ensued. Men were killed on both sides, and they were the only members of the ditch company that escaped. They were now on their way out of the country, to escape arrest. They feared the authorities were pursuing them."

While engaged in this conversation, Captain Ruckles, the agent of the Columbia River Steamboat Company, happened to pass. Beachy hailed him, and told his story. Ruckles gave him authority to use a whitehall boat in descending the river from Wallula, and an order upon the captain of the downward bound steamer from Umatilla, to consult his convenience on the trip to Portland.

The evening was far advanced when Beachy

and Farrell started on a midnight drive of thirty miles to Wallula. Day was breaking when they drove up to the landing. The river, at all times boisterous, had been swollen by the flood into a torrent. Rousing a wharfinger, they were informed that all navigation was suspended until the waters should abate, that no steamboats had been there for several days, and to attempt the passage of Umatilla rapids in a whitehall boat would be madness.

Fortunately, the next man Beachy met was Captain Ankeny, an old river pilot, who knew every crook and rock in the channel.

"It's a dangerous business," said the captain, after listening to his story, "but I think we can make it in a whitehall boat. At all events, if it's murderers you're after, it's worth the risk. I'll take you down if anybody can."

At daylight the three men, with the pilot at the helm, pushed out into the stream, every spectator on shore predicting disaster. It was, indeed, a lively passage, and not a few hairbreadth escapes were attributable to the skill of the man who knew the channel. The boat dashed through the rapids, and rounded to at Umatilla, twenty-two miles below, two hours after it left Wallula.

Beachy found a willing coadjutor in the captain

of the steamboat at Umatilla, and, to expedite the departure of the boat, employed eighteen men to assist in discharging the cargo. When the boat had blown her last whistle and rung her last bell, two large wagons laden with emigrants, who had just arrived after a tedious journey across the plains, thundered down to the wharf to be taken aboard.

"Too late," shouted the captain. "The boat cannot be delayed. Cast off."

The spokesman for the emigrants pleaded hard for a passage. Beachy relented.

"Take them on board for luck," said he to the captain.

No other cause for detention occurring, the boat swung off, and proceeded down the river, arriving at Celilo, eighty-five miles below, late in the evening. From that point navigation is impeded by rapids for sixteen miles, which distance is travelled by railroad. The cars would not leave until the next morning, — a delay which might afford the fugitives time for escape. In this exigency Beachy applied to the emigrants, and by pledging the boat as security for the return of their horses, and paying a round sum, hired three of them to convey Captain Ankeny, Farrell, and himself to the Dalles. It was after one o'clock in

the morning when they entered Dalles City. Ankeny and Farrell rode down to the hotel to reconnoitre, and report to Beachy, who awaited their return in the outskirts. It was a bright, starlight night. A man, whose form Beachy recognized, passed hurriedly by the spot where he stood. Hailing him, he unfolded the object of his mission, and learned that three of the party he was pursuing had left the Dalles on a steamboat for Portland two days before. The other, he was afterwards informed, had gone since.

In company with Tom Farrell, he took passage on the next steamer for Portland, arriving there twenty-four hours after the fugitives had left for San Francisco. Farrell hurried on to Astoria, the only port where the steamer stopped on its passage to the ocean, to ascertain if they had landed there, while Beachy put in execution a little scheme by which he hoped to obtain full information concerning their future movements.

A year before this time, Beachy had concealed from the pursuit of the Vigilantes at Lewiston a young man accused of stealing, whom he had known in boyhood. During his concealment, with much other information, he told Beachy of the robbery of a jewelry establishment at Victoria, in British Columbia, in which he was concerned with

Howard, Lowry, and Romaine. They deposited their plunder with an accomplice at Portland. This man still resided at Portland, and had probably met with Howard and his companions during their stay. If so, he was doubtless possessed of information which would aid in their detection.

At every place where they had stopped on the trip to Portland, the guilty men had told the same story about their collision at, and flight from, Boise Basin. Acting upon the belief that they had repeated it to their old confederate at Portland, Beachy, on the same evening of his arrival, wrapped in blanket and muffler, sallied forth to a remote quarter of the town, where he resided. No one responded to his rap upon the door. He crossed the street to a clump of bushes to watch. A half-hour passed, and a woman entered the dwelling. Recrossing, he repeated the alarm. The woman met him at the door. With much simulated nervousness, and mystery of manner and tone, he inquired for the man.

"He is very busy, and will not be home until late, if at all," replied the woman.

"I must see him immediately," urged Beachy, with increasing earnestness. "My life depends upon it. Here, madam," he continued, thrusting a hundred dollars into her hands, "secure me an

interview as soon as possible. He is the only person here who can aid my escape. I dare not be seen, but will conceal myself in the clump until he comes."

Beachy says he never was satisfied whether it was gold or pure womanly sympathy for his apparent distress which obtained for him a speedy meeting. By assuming the character of a partner in the Boise enterprise who had miraculously escaped arrest, and was then in pursuit of his companions, he learned that the men he was pursuing intended to remain in San Francisco until they could have their dust, amounting to seventeen thousand dollars, coined, when they would go to New York by way of the Isthmus, and return to Virginia City in the spring. To make the delusion perfect, Beachy, at the close of the interview, gave his informant one hundred and fifty dollars, with which he purchased for him a horse, which he delivered to him at a late hour of the evening, at East Portland, on the opposite bank of the Willamette river. Bidding him good-by, Beachy mounted the horse, and was soon lost to view in the pine forest, his dupe believing that he had enabled him to escape the authorities of Boise. In two hours afterwards the horse was returned to its owner, and the purchase-money restored.

How to reach San Francisco in time to arrest the fugitives before their departure for New York, was not easy of solution. No steamer would leave Portland for ten days, and an overland journey of seven hundred miles, over the muddiest roads in the world, was the only alternative. The nearest telegraph station was at Yreka, four hundred miles distant. Wearied with the unremitting travel and excitement of the previous week, Beachy hired a buggy and left Portland at midnight, intending to overtake the coach which had left the morning before his arrival. This he accomplished at Salem, late in the afternoon of the next day. When the coach reached the mountains, its progress was too slow for his impatience, and he forsook it, and, mounting a horse placed at his disposal by an old friend, rode on, hoping to come up with the advance coach. He fell asleep while riding, and, on awakening, found himself seated upon the horse in front of its owner's stable, at a village twenty miles distant from the one he left. Here he hired a buggy and overtook the coach the next morning.

Two days afterwards he arrived at Yreka. He immediately sent a telegram to the chief of the San Francisco police, and was overjoyed upon his arrival at Shasta, twenty-four hours afterwards,

to receive a reply that the men he was pursuing were in prison, awaiting his arrival. At midnight of the second day following, he was admitted to the cell where the prisoners were confined.

They had been arrested by stratagem two days before. As Howard and Lowry were escaped convicts from the California penitentiary, they naturally supposed that they had been arrested upon recognition, to be returned for their unexpired term. This they were planning to escape by bribing the officers, whom they had told of their deposit in the mint, denying at the same time that Page had any interest in it.

When therefore the chief of police entered the cell, and turned on the gas, disclosing the presence of Hill Beachy, had Magruder himself appeared, they would not have been more astonished. With dismay pictured upon his countenance, Howard was the first to break that ominous silence by a question intended either to confirm their worst fears, or re-animate their hopes of escape.

"Well, old man," said he, gazing fixedly upon Beachy, "what brought you down here?"

"You did," was the instant reply.

"What for, pray?" persisted Howard, assuming an indifferent air.

"The murder of Lloyd Magruder and Charley Allen."

The eyes of the questioner dropped. He drew a long breath. A deadly pallor stole over his face.

"That's a rich note," said Lowry, affecting to laugh. "We left Magruder at Bannack, well and hearty."

"We shall see. Good-night, boys," said Beachy, and he offered each his hand.

Page clasped his hand heartily, and, by several scratches upon the palm, signified that he had something which he wished to communicate.

Four weeks were spent in San Francisco, in the effort to obtain the custody of the prisoners. As fast as one court would decide to surrender them, another would grant a writ of *habeas corpus* for a new examination. At length the Supreme Court of the State decided in favor of their surrender to the authorities of Idaho for trial. In anticipation of a series of similar legal delays in Oregon, Beachy, before leaving, obtained from General Wright, the commander of the Department of the Pacific, an order upon the military post of the Columbia, directing an escort to meet the prisoners at the mouth of the river, and deliver them with all possible despatch to the civil authorities at Lewiston.

On the voyage from San Francisco to the mouth of the Columbia, the prisoners occupied the state-room adjoining Beachy's. An orifice was made in the base of the partition between the apartments, under the berth occupied by Howard and Lowry. After they had retired, Beachy would apply his ear to it, to glean, if possible, from their conversation, any circumstances confirming their guilt. On one occasion he heard Lowry observe that "Magruder had a good many friends," and Howard reply that "all five of them had friends enough." This satisfied him that others beside Magruder had been killed, and that he was on the right track. At the mouth of the Columbia, a small steamer with a military escort received the prisoners. They were conveyed immediately to Lewiston. A large assemblage had gathered upon the wharf, intending to conduct the prisoners from the boat to the scaffold. Protected by the military, Beachy succeeded in removing them to his hotel, amid loud cries of "Hang 'em," "String 'em up," by the pursuing crowd. He then appeared in front of the building, and in a brief address informed the infuriated people that one of the conditions on which he obtained the surrender of the men was that they should have a fair trial at law. He had

pledged his honor, not only to the prisoners, but to the authorities, that they should only be hanged after conviction by a jury. This pledge he would redeem with his life if necessary. He made it, believing that his fellow-citizens of Lewiston would stand by him. "And now," said he, "as many of you as will do so, will please cross to the opposite side of the street." The movement was unanimous.

"Be gorra! Mr. Beachy," exclaimed an Irishman, after he had passed over, "you're the only mon in the whole congregation that votes against yourself."

The prisoners were heavily ironed and strongly guarded in an upper room of the hotel. No legal evidence of their guilt, no evidence that a murder had been committed, had yet been obtained. Page was reticent, though believed by all to have been the victim of circumstances. A week elapsed, and no disclosures were made upon which to base a hope of conviction. Tired of waiting, it was at length arranged with the district attorney that Page should be permitted to testify as State's evidence.

Beachy now concerted, with several others, a plan for getting at the truth. In a vacant room, accessible from the main passage of the building, he suspended from the ceiling four ropes with

nooses, and under each placed an empty dry-goods box. Every preparation was seemingly made for a secret and summary execution.

In a room on the opposite side of the hall he spread a large table, with paper, pens, and ink, and obtained from the county clerk three plethoric legal documents, which were put in the hands of persons seated at the table. A clerk was also there, who had seemingly been engaged in writing out the confessions of Howard, Lowry, and Romaine, which were represented by the documents already referred to.

When these preparations were completed, two guards entered the room occupied by the four prisoners, and conducted Howard downstairs to a room in the basement. An hour or more elapsed, and the same ceremony was observed with Lowry, and after another hour with Romaine. The solemnity of this proceeding was intended to impress Page with the belief that his comrades had been severally executed by the Vigilantes. When, an hour later, the guards returned, they found him in a cold perspiration, and scarcely able to stand.

He was met by Beachy at the door.

"Page," said he, "I have done all in my power to save you, because I believed you less guilty than

the others, but I find I can do no more. Whether you live or die now remains with yourself. Your old friend, Captain Ankeny, has worked hard for you."

As he said this, the party came to the door of the room where the ropes were suspended, which had been purposely opened. The hideous preparations glanced upon the terror-stricken vision of the trembling prisoner. Beachy slammed the door with a crash, exclaiming, with well-simulated anger, as he turned to the attendants, —

"I told you to keep that door closed," and resumed his conversation with Page.

"There is," said he, "a bare chance remaining for you. Your comrades are still living. They have each made a confession, and now the opportunity is afforded you. If you make a clean breast of it, and tell the truth, it is possible you may escape by turning State's evidence; but if not, there is no alternative but to hang you all. One thing let me say: if you conclude to accept this possible chance for life, tell the truth."

"I certainly will do so, Mr. Beachy," said the terrified man.

He was then seated in front of the clerk at the table. Beachy sat on one side, holding one of the documents, as if to compare his testimony with it,

and Captain Ankeny and another person, each with a similar document, sat opposite. The building was of logs. A gathering outside could be heard through the chinks, discussing the propriety of admitting Page to testify.

"He is as guilty as the others, and should suffer the same fate," said one.

"It's nonsense to try them," said another. "The Vigilantes should hang them all immediately."

"It'll do no harm to hear what he has to say," said a third, "but he'll probably lie."

"Not if he regards his life. He'll be easily detected in that, and then he'll be hung without mercy," remarked another.

These surroundings, terrible to a guilty conscience, were not alleviated by the frequent interruptions of Beachy and Ankeny, who, to all outward seeming, were closely comparing the statements of Page with those of his companions. The confession thus obtained bore internal evidence of truthfulness; and, when it was finished, Page entreated Beachy not to return him to the room with the other prisoners.

"They will kill me if they suspect me of betraying them," said he, "and the fact that we have all been requested to confess will make them suspicious."

Page was heavily ironed, and confined in a separate room on the side of the hall opposite the room occupied by the other prisoners, who, in the seeming severity with which he was treated, received the impression that he was singled out as the real criminal. Acting under Beachy's instructions, Page occasionally stood in the doorway of his apartment, so that the other prisoners could see him, and they improved these opportunities by making significant signs to him to be silent. Howard would break out into a song, into which he would improvise words of caution for Page to observe. At length, at their own request, the prisoners were occasionally permitted to perambulate the hall, and at those times opportunity was given to converse with Page. They finally would enter his room, and in a conversation with him, while, as he supposed, he was enjoying one of these stolen interviews, Beachy heard Lowry tell Page that the body of Brother Jonathan — meaning Magruder — could never be found, whether the others were or not. It was a great satisfaction to Beachy to learn, from this and several other little incidents that occurred while the murderers were in custody, that he had made no mistake in arresting them.

Twenty-four hours before the trial, the prison-

ers, as required by the laws of Idaho, were served with a copy of the indictment found against them, with a list of witnesses, in which it appeared that the charge was substantiated by the testimony of Page. This was the first intimation they had that he was to be received as State's evidence. Lowry read enough of the indictment to learn this fact. Handing it to Beachy, he exclaimed with an oath, —

"I have read far enough. If old Page is to testify, the jig is up. I don't wish to know any more."

More than a hundred persons summoned as jurors were rejected in selecting an impartial jury. Good counsel was provided for the prisoners; and after a careful and protracted trial, in which no legal effort was spared both to convict and to defend, the prisoners were found guilty, and sentenced to be hanged on the fourth day of March, 1864, six weeks after the trial.

During this interval, they were confined in their old quarters, where they received every attention from Mr. Beachy and his wife. As the day of expiation drew nigh, both Lowry and Romaine confessed to their participation in the murder, and the truth of Page's testimony; but Howard denied it to the last.

The scaffold was erected in a basin encircled by abrupt hillsides, from which ten thousand people, including almost the entire Nez Perce tribe of Indians, witnessed the execution.

A few weeks afterwards, Beachy and a few friends, under the guidance of Page, visited the scene of the murder, and returned with the remains of the unfortunate victims, which were decently buried in the cemetery at Lewiston.

Page remained in the employ of Beachy several months — an object of general reproach and execration. A year had little more than elapsed when he became involved in a drunken brawl, and was killed by a shot from the pistol of his adversary.

Mr. Beachy, after repeated rebuffs, succeeded in getting the seventeen thousand dollars, which the murderers had deposited in the mint at San Francisco. This was given to the widow and heirs of Magruder. After a delay of some years, the Legislature of Idaho appropriated an amount sufficient to defray the expense he had incurred in the capture and prosecution of the murderers; and he subsequently removed to San Francisco, where he died in the year 1875, esteemed by all who knew him, not less for his generosity of heart, than the other manly and noble qualities of his character.

CHAPTER IX.

HOWIE AND FETHERSTUN.

FLUTTERING AMONG THE ROBBERS — DUTCH JOHN'S ATTEMPTED ESCAPE — ARREST BY NEIL HOWIE IN BEAVER CAÑON — HOWIE AND FETHERSTUN CONVEY HIM TO BANNACK — INCIDENTS BY THE WAY, AND AT BANNACK — DUTCH JOHN EXAMINED AND ADJUDGED GUILTY — FETHERSTUN TAKES HIM IN CUSTODY.

SEVERAL days after the execution of "Red" and Brown, when their bodies were taken down for burial, there was found, fastened to each, a monograph which has few parallels for brevity in the annals of necrology. "Red! Road Agent and Messenger!" "Brown! Corresponding Secretary!" Laconic, but explicit, they fitly epitomized the history, both in life and death, of these ill-fated men.

The little company of Vigilantes arrived in Nevada early the morning after the execution. The Committee assembled immediately to consider what action should be pursued with reference to

the disclosures made by "Red," but, as the results of their recommendations will hereafter appear, no further allusion to the subject is necessary at this time.

The fluttering among the robbers, when it became known that two men of their number had fallen, was very perceptible both at Bannack and Virginia City. Many of them fled at once; others, who would have accompanied them, had they heard of the disclosures made by "Red," believed themselves secure, until some testimony should appear against them. Not anticipating treachery from any of their comrades, they regarded such treachery as wholly unattainable.

Dutch John was not of this number. Alarm grew upon him day by day, after the execution of Ives. He knew that, with the unhealed bullet wound in his shoulder, his identity with the robbers who attacked Moody's train would be clearly established. He went to Plummer with his fears. Plummer advised him to leave the Territory. In pursuance of this advice, he shouldered his saddle and left Bannack in the direction of Horse Prairie. A person who saw him leave, suspecting that he had designs upon a fine gray horse, wrote to the owners of the animal, warning them of his approach. They lay in watch for the thief, and

discovered him sitting in the underbrush. They immediately hedged him in, and captured him. After a severe lecture and taking his saddle, they gave him an old mule and blanket, and bade him depart. Accompanied by a Bannack Indian, he rode slowly down the road leading to Salt Lake.

A few days after the execution of Ives, John X. Beidler, who had officiated on that occasion, went down the Salt Lake road to meet a train which was expected from Denver. Meeting it at Snake river, he returned with it to Beaverhead valley, where he was told of the attack, by Dutch John and Marshland, on Moody's train, and furnished with a description of the robbers. His informant, believing that Moody's shot would prove fatal, told him that he would know the body of the robber by his leggings.

"I need a pair of leggings," replied X., "and, if I find the man dead, will confiscate them." Beidler turned back, and met Dutch John and the Indian in Beaver cañon, at the toll-gate. Failing to recognize him as the robber, he offered him a drink from a bottle of schnapps. John's hands were so severely frozen that he could not grasp the bottle. Beidler soaked them in water, to take the frost out. While thus employed, John asked,—

"Is it true that George Ives has been hanged?"

"Yes," replied Beidler; "he's dead and buried."

"Who did it?" inquired John.

"Oh, the Virginia and Nevada people."

"Did they find out anything?"

"They found out some things," said Beidler, "and are now after the robbers of Moody's train. One of them, Dutch John, was shot, and I expect to find him dead upon the trail. If I do, I shall confiscate his leggings, for I need a pair very much."

"Would you take his leggings if you found him?" inquired Dutch John.

"Of course I would, if he was dead," said Beidler.

They continued to chat till late in the evening, passing the night together, Beidler never suspecting him to be the robber he was in pursuit of. The next morning Beidler dressed John's frozen hands, and they separated.

The next day, while making his way through Beaver cañon, John was seen and recognized by Captain Wall and Ben Peabody, who were encamped there by stress of weather, with a pack train, *en route* to Salt Lake. They saw him and the Indian take shelter in a vacant cabin at no great distance beyond their camp, and went immediately with the information to John Fether-

stun, who was also near at hand, awaiting an abatement of the temperature, with eight teams and drivers. Fetherstun recommended that John should be hanged to one of the logs projecting from the end of the cabin. Wall and Peabody wanted him to be returned to Bannack. Being unable to agree, Wall and Peabody proceeded down the road to the camp of Neil Howie, who was on his return from Salt Lake, in charge of three wagons laden with groceries and flour. If they had searched the world over, they could have found no fitter man for their purpose. Brave as a lion, and as efficient as brave, Neil Howie inherited from nature a royal hatred of crime and criminals in every form. He laid his plans at once for the capture and return of John to Bannack. The men belonging to his train promised him ready assistance. In a short time John and the Indian appeared in the distance, and the courage of Neil's friends, which began at that moment to weaken, "grew small by degrees, and beautifully less," as the stalwart desperado approached, until, to use an expression much in vogue in those days, they concluded that as they "had lost no murderers," the reasons given for the arrest of this one were not sufficiently urgent to command their assistance in such a formidable undertaking. In

plain words, they backed out of their promise. Neil, whose contempt for a coward was only equalled by his abhorrence of a murderer, still determined upon the capture. It would be a libel upon the honest Scotch inflexibility which had come down to him through his Covenanting progenitors to recede from a resolution which his conscience so fully approved. Dutch John rode up and asked for some tobacco.

"We have none to spare," said the train master. "Go to the big train below. They will supply you."

He cast a suspicious, uneasy glance at the men, and, with the Indian by his side, rode on. Neil looked after him until nearly lost to sight, then mounted his pony and rode rapidly in pursuit, with the hope of obtaining aid from the big train, which belonged to James Vivion. He soon overtook the fugitive, whom he found with rifle in hand, ready to defend his liberty. The Indian, too, apprised of Neil's approach, passed his hands over his quiver, seemingly to select an arrow for instant use. Carelessly remarking, as he passed, that he had to borrow a shoeing hammer to prepare the stock for crossing the divide, Neil rode on under the muzzle of John's rifle, without drawing his reins until he arrived at the train. The

remark disarmed John's suspicions, or he would doubtless have fired upon him.

Neil related the particulars of John's career. "It is a burning shame — a reproach to the Territory, and will be an eternal reproach to us if we permit so great a villain to escape. Just reflect, — he is a horse-thief and a murderer, stained with blood, and covered with crimes. Let us arrest him at once."

All to no purpose. The men, one and all, declined having anything to do with it. Meantime John came up and asked for some tobacco.

"Have you any money?" inquired one of the men.

"Not a cent," was the reply.

"Then," said his interrogator, "we have no tobacco for you."

"Oh! let him have what he wants," interposed Neil. "I will pay for it."

John's face wore a grateful expression. He thanked Neil, and with the Indian took his departure. Neil made another hurried appeal, not to let the murderer and road agent escape, but the men refused to help.

"Then," said he, "I will arrest him alone," and he strode rapidly after John, shouting, —

"Hallo, captain! hold on a minute."

John wheeled his mule half round, and sat awaiting the approach of Neil. To the stature and strength of a giant, John added a nature hardened by crime, and the ferocious courage of a tiger. His face, browned by exposure, reflected the dark passions of his heart, and was lighted up by a pair of eyes full of malignity. Nature had covered him with signs and marks indicative of his character. Neil, on the other hand, was rather under the medium size, with nothing in his general make-up that denoted uncommon strength or activity, though, when aroused, no mountain cat was more active in his movements, and strength seemed always to come to him equal to any emergency. His clear gray eye, calm and gentle in repose, became very powerful and commanding under excitement.

With his gaze fixed steadily upon the ruffian, he marched rapidly towards him. John slewed his rifle around, grasping the barrel with his left, and the small of the stock with his right hand, as if preparing for a deadly aim. Neil's hand fell with an admonitory ring upon the trusty revolver in his belt, which had never failed him. For an instant only, it seemed that either the rifle or pistol would decide the adventure; but the ruffian quailed before the determined gaze of Howie,

who passed unharmed beyond the muzzle of his rifle, and stood with his hand upon the flank of the mule. Looking John steadily in the eye, in a quiet but authoritative tone, Neil said to him, —

"Give me your gun and get off your mule."

With blanched face and trembling hands, John complied, at the same time expressing his willingness to submit to the capture.

"You have nothing to fear from me," said he as he alighted, and handed the reins to Howie. It is said that occasions will always find men suited to meet them. This occasion found, among a crowd of twenty or more experienced mountaineers, only Neil Howie as the man endowed with moral and physical courage to grapple with it.

The prisoner accompanied his captor to the camp-fire. The weather was intensely cold. Many of the oxen belonging to the trains had died from exposure, and others were so severely frozen that they lost their hoofs and tails the succeeding spring. As soon as Howie and his prisoner were thoroughly warmed, Neil said to him, —

"John, I have arrested you for the part you took in the robbery of Moody's train last month. Every man in that company charges you with it."

"It's a lie," said John. "I had no hand in it at all."

"That question can be easily decided," replied Neil, "for the man they supposed to be you was wounded by a shot in the shoulder. If you are not the person, there will be no bullet mark there. I don't wish to make a mistake, and your denial of the charge makes it necessary that I should examine. Just remove your shirt."

John reluctantly complied, all the while protesting his innocence. When, however, the shoulder was bared, the scarcely healed perforation settled all doubts in Howie's mind concerning the personal identity of his prisoner.

"How is it," said he, "if you are not the man, that you have this scar?"

"I got it accidentally while asleep by my camp-fire. It was cold, and I laid near the fire. My clothes caught fire, and the cap ignited, discharging my pistol, which was strapped to my side."

"Let me prove to you that this story cannot be true," said Neil.

Placing a cap upon a stick, he held it in the hottest blaze of the camp-fire. Minutes elapsed before it exploded.

"Do you not see," he continued, "that long before the cap on your pistol would have exploded,

you would have been burned to death? But there is still another reason. If it had exploded, as you say, the ball could never have wounded your shoulder. You must go with me to Bannack. If you can prove your innocence there, as I hope you may, it will all be well with you."

Leaving his prisoner in charge of the train company, Neil started in pursuit of a person to aid in conveying him to Bannack. Unsuccessful in this, he left with John in company, and proceeded to Dry creek, where was a camp of fifty or sixty teamsters. Such was their fear of the roughs, that they one and all refused to assist him. While deliberating what next to do, a man by the name of Irvine suggested to him that if Fetherstun could be induced to aid, he would be a suitable man for the purpose. Neil went immediately to Fetherstun's camp, fully determined, if again rebuffed, to attempt the journey with his prisoner alone. Fetherstun volunteered without hesitation, and, taking the prisoner in charge, confined him in the cabin he had left but the day before, through the succeeding two days, under guard, awaiting an abatement in the weather.

On the third day Howie and Fetherstun started with John for Bannack, the weather still so severe

that they were obliged every few miles to stop and build fires to escape freezing. On one of these occasions, while Fetherstun was holding the horses and Howie building a fire, their guns having been deposited some forty feet away, the prisoner, under pretence of gathering some dry wood which was in a direct line beyond the guns, walked rapidly towards them, intending evidently to possess himself of the weapons, and fight his way to an escape. His design, however, was frustrated by his captors, who fortunately secured the guns before he could reach them.

During the night when they were encamped at Red Rock, misled by the apparent slumber of his captors, John rose up, but, upon gazing around, met the fixed eye of Howie, and immediately resumed his recumbency. As the night wore on, the two men, worn with fatigue, again sunk into repose. Assured by their heavy breathing, John again rose up, but scarcely had he done so when Neil, rising too, said quietly, —

"John, if you do that again, I'll kill you."

The ruffian sunk upon his blankets in despair. He felt that he was in the keeping of one who never slept on duty. Still the hope of escape was uppermost. Seeing a camp by the roadside, he naturally concluded that it belonged to a company

of his comrades, and commenced shouting and singing to attract their attention. As no response followed and no rescuers appeared, he soon became silent and despondent.

This trip of three days' duration, with the thermometer thirty-five degrees below zero, and no other food than the shank of a small ham, uniting with it the risk of assassination and of personal contest with robbers, exposure to an arctic atmosphere, and starvation, while it bore ample testimony to the moral intrepidity and physical endurance of Howie and Fetherstun, and marked them for a pursuit which they ever after followed, was also rife with associations which bound these brave spirits in a friendship that only death could sever. It is no injustice to any of the early citizens of Montana to say that, not less for its present exemption from crime and misrule than for the active and vigilant measures which, in its early history, visited the ruffians with punishment, and frightened villany from its boundaries, is the Territory indebted to the efficient co-operative labors of these self-sacrificing, heroic men. They were pioneers who deserve to rank in future history with such men as Boone and Kenton; and long after the names of many now oftener mentioned in connection with circumstances of trifling im-

port are forgotten, theirs will be remembered and honored. Noble Howie! how short a time it seems since he was cut down in the very prime of his manhood, upon the distant shores of Guinea. Many, many years must pass before the memory of his heroic actions, his genial nature, his warm, impulsive friendship, will be forgotten by those who knew and loved him in his mountain home.

To return to the narrative. When the captors had arrived at Horse prairie, twelve miles from Bannack, Fetherstun encamped with the prisoner, while Howie rode on to the town to reconnoitre. Fears were entertained that the roughs would attempt a rescue. It was understood that if Howie did not return in three hours, Fetherstun should take the prisoner into town. Accordingly, he proceeded with him without molestation to Sears's Hotel. Soon afterwards Howie, meeting Plummer, said to him, —

"I have captured Dutch John, and he is now in my custody at Sears's Hotel."

"You have?" replied Plummer with a leer. "What is the charge against him?"

"Attacking Moody's train."

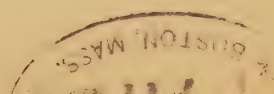
"Well, I suppose you are willing he should be tried by the civil authorities. This new way our

people have of hanging men without law or evidence isn't exactly the thing. It's time a stop was put to it. I'll take John into my custody as sheriff, and relieve you from all further responsibility."

"Not exactly, Plummer," replied Howie. "I shall keep John until the people's tribunal decides whether they want him or not. I've had a good deal of trouble in bringing him here, and don't intend he shall escape, if I can help it."

After a few more words they separated. Meantime Fetherstun had left Sears's Hotel with his prisoner, and gone down the street to Durand's saloon. Fetherstun, being an entire stranger, kept close watch of his prisoner. They sat down at a table and engaged in a game at cards. Howie came in, and warned Fetherstun to be on the alert for a rescue, promising to return in a few minutes. Buck Stinson and Ned Ray soon after made their appearance, and shook hands with John. They were followed by four or five others, and the number finally increased to fifteen. Fetherstun's suspicions, excited from the first, were confirmed on seeing one of the men step up to John, and say in an authoritative voice, —

"You are my prisoner;" which remark was followed by a glance and a smile by the ruffian,



as much as to say, "I'm safe now, and your time has come."

Fetherstun, anticipating an attack by the crew, stepped into a corner, and drew his revolver. Those of my readers who have since had frequent opportunity to estimate the cool, determined courage of the man, will know that this preliminary movement was only preparatory to the desperate heroism and energy with which, had occasion required it, he would then have sold his life to a crowd of supposed desperadoes. They took the prisoner away without resistance, and Fetherstun returned to his hotel. Four or five men were there, of whom, on inquiry, he learned that Howie had not been there. As soon as he heard this, he said to them, —

"Gentlemen, I don't know whom I am addressing, but if you're the right kind of men, I want you to follow me. I am afraid the road agents have killed Neil Howie. He left me half an hour ago, to be back in five minutes."

He seized his gun, and was about to leave when a man opened the door, and told him not to be uneasy. This seemed to satisfy all the company except Fetherstun. He left the hotel, gun in hand, and at no great distance came to a cabin filled with men, with Dutch John as the central

JOHN FETHERSTUN,
Overland Express Messenger.

figure. Being denied admission, he demanded his prisoner. He was told that they were examining him. The men whom Fetherstun had mistaken as road agents had mistaken him for the same. Explanations soon set both right, and John was restored to the custody of Howie and Fetherstun, who marched him back to the hotel, where he was again examined.

After many denials and prevarications, he finally made a full confession of guilt, and corroborated the statements which "Red" had made, implicating the persons whose names are contained in the list he had furnished. This concluded the labors of that day, and at a late hour Howie and Fetherstun, unable to obtain lodgings for their prisoner in any of the inhabited dwellings of Bannack, took him to an empty cabin on Yankee Flat.

CHAPTER X.

EXECUTION OF PLUMMER.

Re-action in Public Sentiment — Miners all become Vigilantes — Alarm of Plummer — Messengers to Bannack — Arrest and Execution of Plummer, Ray, and Stinson — Interview with Plummer's Brother — Plummer's Craftiness.

Retribution followed rapidly upon the heels of disclosure. The organization of the Vigilantes of Nevada and Virginia City was effected as quietly as possible, but it embraced nearly every good citizen in Alder gulch. Men who before the execution of Ives were seemingly indifferent to the bloody acts of the desperadoes, and even questioned the expediency of that procedure, were now eager for the speedy destruction of the entire band. Every man whose name appeared on the list furnished by Yager (Red) was marked for early examination, and, if found guilty, for condign punishment. The miners forsook their work in the gulch to engage in the pursuit and capture of the ruffians, regardless alike of their

personal interests, the freezing weather of a severe winter, and the utter desolation of a country but partially explored, immense in extent, destitute of roads, and unfurnished even by nature with any protection against exposure.

The crisis demanded speedy action. The delay of a day or even an hour might enable the leading ruffians to escape, and thus defeat the force of a great and efficient example. The ruffians themselves had taken the alarm. Many of them were on their return to Walla Walla, and others were making preparations for leaving. It was of special importance to the object in hand, that Plummer, the chief of the robber band, should be the first to suffer. That individual, oblivious of the disclosures that had been made by Yager, was at Bannack, quietly preparing for an early departure from the Territory. Calm and placid in outward seeming, his conduct bore evidence that he was all terror within. He was too familiar with the extreme phases of character not to suspect that he had possibly been betrayed by some of the number that had been captured, though much too polite and sagacious to manifest by his deportment the presence of any such suspicion. But he was constantly on the alert. Not a beat in the pulse of the community escaped his notice.

Not a strange face that he did not closely scan, nor a gathering occur whose details escaped him. The language of looks and signs and movements was as familiar to him as that of words, and in it he read plainly and unmistakably that his reign of deception was at an end. The people had found him out, and he knew it. His only mistake was that he delayed action until it was too late.

At a late hour of the same night that Dutch John was examined, four Vigilantes arrived at Bannack from Virginia City, with intelligence of the organization at that place, asking the co-operation of the citizens of Bannack, and ordering the immediate execution of Plummer, Stinson, and Ray. A hurried meeting was held, and the Sabbath daylight dawned upon a branch organization at Bannack. The day wore on unmarked by any noticeable event until late in the afternoon. Three horses were then brought into town, which were recognized as belonging to the three murderers.

"Aha!" said one citizen to another, "those rascals scent the game and are preparing to leave. If they do, that will be the last of them."

"We can block that game," was the rejoinder.

Several members of the Vigilance Committee met on the spur of the moment and adopted

measures for the immediate arrest and execution of the three robbers. Stinson and Ray were arrested without opposition, — one at Mr. Toland's cabin, and the other, stretched at the time upon a gaming table, in a saloon. The party detailed to arrest Plummer found him at his cabin, in the act of washing his face. When informed that he was wanted he manifested great unconcern, and proceeded quietly to wipe his face and hands.

"I'll be with you in a moment, ready to go wherever you wish," he said to the leader of the Vigilantes. Tossing down the towel and smoothing his shirt-sleeves, he advanced towards a chair on which his coat was lying, carelessly remarking: "I'll be ready as soon as I can put on my coat."

One of the party, discovering the muzzle of his pistol protruding beneath the coat, stepped quickly forward, saying as he did so, —

"I'll hand your coat to you." At the same moment he secured the pistol, which being observed by Plummer, he turned deathly pale, but still maintained sufficient composure to converse in his usual calm, measured tone. The fortunate discovery of the pistol defeated the desperate measures which a desperate man would have employed to save his life. With his expertness in the use of that weapon, he would doubtless

have slain some or all of his captors. He was marched to a point where, as designated before the capture, he joined Stinson and Ray, and thence the three were conducted under a formidable escort to the gallows. This structure, roughly framed of the trunks of three small pines, stood in a dismal spot three hundred yards from the centre of the town. It was erected the previous season by Plummer, who as sheriff had hanged thereon one John Horan, who had been convicted of the murder of Keeley. Terrible must have been its appearance as it loomed up in the bright starlight, the only object visible to the gaze of the guilty men, on that long waste of ghastly snow. A negro boy came up to the gallows with ropes before the arrival of the cavalcade. All the way, Ray and Stinson filled the air with curses. Plummer, on the contrary, first begged for his life, and, finding that unavailing, resorted to argument, and sought to persuade his captors of his innocence.

"It is useless," said one of the Vigilantes, "for you to beg for your life; that affair is settled, and cannot be altered. You are to be hanged. You cannot feel harder about it than I do; but I cannot help it if I would."

"Do not answer me so," persisted the now

humbled and abject suppliant, "but do with me anything else you please. Cut off my ears, and cut out my tongue, and strip me naked this freezing night, and let me go. I beg you to spare my life. I want to live for my wife, — my poor absent wife. I wish to see my sister-in-law. I want time to settle my business affairs. Oh, God!" Falling upon his knees, the tears streaming from his eyes, and with his utterance choked with sobs, he continued, —

"I am too wicked to die. I cannot go blood-stained and unforgiven into the presence of the Eternal. Only spare me, and I will leave the country forever."

To all these, and many more petitions in the same vein, the only answer was an assurance that his pleadings were all in vain, and that he must die. Meantime, Stinson and Ray discharged volley after volley of oaths and epithets at the Vigilantes, employing all the offensive language of their copious vocabulary. At length the ropes were declared to be in readiness, and the stern command was given,—

"Bring up Ned Ray." Struggling wildly in the hands of his executioners, the wretched man was strung up, the rope itself arresting his curse before it was half uttered. Being loosely pinioned, he thrust his fingers under the noose, and,

by a sudden twist of his head, the knot slipped under his chin.

"There goes poor Ned Ray," whined Stinson, who a moment later was dangling in the death-agony by his side. As Stinson was being hoisted, he exclaimed, "I'll confess." Plummer immediately remarked, "We've done enough already, twice over, to send us to hell."

Plummer's time had come. "Bring him up," was the stern order. No one stirred. Stinson and Ray were common villains; but Plummer, steeped as he was in infamy, was a man of intellect, polished, genial, affable. There was something terrible in the idea of hanging such a man. Plummer himself had ceased all importunity. The crisis of self-abasement had passed, hope fled with it, and he was now composedly awaiting his fate. As one of the Vigilantes approached him, he met him with the request, —

"Give a man time to pray."

"Certainly," replied the Vigilante, "but say your prayers up there," at the same time pointing to the cross-beam of the gallows-frame.

The guilty man uttered no more prayers. Standing erect under the gallows, he took off his neck-tie, and, throwing it over his shoulder to a young man who had boarded with him, he said, —

"Keep that to remember me by," and, turning to the Vigilantes, he said, "Now, men, as a last favor, let me beg that you will give me a good drop."

The fatal noose being adjusted, several of the strongest of the Vigilantes lifted the frame of the unhappy criminal as high as they could reach, when, letting it suddenly fall, he died quickly, without a struggle.

The weather was intensely cold. A large number of persons had followed the cavalcade, but were stopped by a guard some distance from the gallows. The Vigilantes surrounded the bodies until satisfied that the hangman's noose had completed their work, when they formed and marched back to the town. The bodies were afterwards buried by the friends of the criminals.

Buck Stinson was born near Greencastle, Indiana. His parents removed to Andrew county, Missouri, when he was about fourteen years of age. He was a bright and very studious boy, was devoted to his books, which he read almost constantly, and gave promise of genius; and many who knew him predicted for him a brilliant and honorable future. His family was highly respectable.

Henry Plummer was born in the State of Con-

necticut, and was in the twenty-seventh year of his age at the time of his death. His wife, who had gone to her former home in the States three months previous to his execution, was entirely ignorant of the guilty life he was leading, and for some time after his death believed that he had fallen a victim to a conspiracy. She was, however, fully undeceived, and the little retrospect which her married life with him afforded, convinced her of his infamy.

Many of the citizens of Montana doubted whether the name by which he was known was his true one; but its genuineness has been established in many ways, and, among others, by the following incident, which I here relate as well to illustrate the subtlety of Plummer, as to show the standing and character of his family relations.

In the summer of 1869, soon after the completion of the first transcontinental railway, being in New York City, I was requested by Edwin R. Purple, who resided in Bannack in 1862, to call with him upon a sister and brother of Plummer. He learned from them that they had been misled concerning the cause of their brother's execution by letters which he wrote to them in 1863, in which he told them that he was in constant danger of being hanged because of his attachment to the Union.

They honestly believed that his loyalty and patriotism had cost him his life, and they mourned his loss not only as a brother, but as a martyr in the cause of his country. From the moment that they heard of his death, they had determined, if ever opportunity offered, to pursue and punish his murderers, and, with that purpose in view, were about to leave by railroad for Ogden, Utah, and complete the remaining five hundred miles of the trip to Montana by stage coach. The next day, accompanied by Mr. Purple, I had an interview with them, and found them to be well-educated, cultivated people. They were very eager in their desire to find and punish the murderers of their brother, and repeatedly avowed their intention to leave, almost immediately, in pursuit of them. Both Mr. Purple and I used all the plausible arguments we could summon to dissuade them from the undertaking, without revealing any of the causes which led to Plummer's death. All to no purpose. Finding them resolved, we concluded that, rather than allow them to suffer from the deception they labored under, we would put in their hands Dimsdale's "Vigilantes," with the assurance that all it contained relative to their brother was true. We urged them to satisfy themselves, from a perusal of it, of the utter

fruitlessness of their contemplated journey. The following day we called upon the brother, who, with a voice broken by sobs and sighs, informed us that his sister was so prostrated with grief at the revelation of her brother's career that she could not see us. He thanked us for making known to them the terrible history, which otherwise they would have learned under circumstances doubly afflicting, after a long and tedious journey.

CHAPTER XI.

DEATH OF PIZANTHIA.

ATTACK UPON THE CABIN OF JO PIZANTHIA, A MEXICAN FREEBOOTER — HE SHOOTS GEORGE COPLEY AND SMITH BALL — COPLEY DIES OF THE WOUND — OUTRAGED CITIZENS SHELL THE CABIN — PIZANTHIA'S CAPTURE EFFECTED WITH MUCH DIFFICULTY — HIS BODY IS RIDDLED WITH BULLETS, WHILE HE IS BEING HANGED — THE CABIN FIRED, AND THE BODY BURNED TO ASHES.

THE next movements of the Vigilantes were followed up with remarkable expedition. The work they had laid out contemplated the execution of every member of Plummer's band who, upon fair trial, should be proved guilty of robbery or murder. They intended also to punish such incidental rascals as were known to be guilty of crime, and to act as a protective police, until such time as a competent judiciary should be established in the Territory. There were many suspicious characters prowling around the gulches, who, though unaffiliated with the robber gang, were engaged in the constant commission of crimes.

Flumes were robbed, burglaries committed, and broils were of frequent occurrence. The country was full of horse and cattle thieves. By prompt and severe punishment in all cases of detection, and by the speedy arrest and examination of all suspected persons, the Committee intended to strike with terror the entire lawless population, which had so long and unceasingly violated the laws and privileges of civilized life with impunity.

The execution of Plummer, Stinson, and Ray met with general approbation. Every good man in the community was anxious to become enrolled on the list of the Vigilantes. The dark shadow of crime, which had hung like an angry cloud over the Territory, had faded before the omnipresence of Vigilante justice. The very feeling of safety inspired by the change was the strongest security for the growth and efficiency of the organization.

The morning succeeding the execution, the Committee met to devise further measures for the arrest of the criminals still at large. None of the reputed members of Plummer's band were then in Bannack. There was, however, a Mexican known by the name of Jo Pizanthia, living in a little cabin built against the side of one of the hills overlooking the town. Being the only

Mexican in the place, he went by the designation of "The Greaser." He brought with him to the Territory the reputation of a desperado, robber, and murderer. With a view of investigating his career in the Territory, the Committee ordered his immediate arrest, and sent a party to the cabin to effect it. The little building was closed, and there was nothing in the appearance of the newly fallen snow to indicate that it had been occupied since the previous day. George Copley and Smith Ball, two esteemed citizens, led the public force, and, advancing in front of it to the door of the cabin, called upon the Mexican by name to come forth. No answer being made, they concluded, against the advice of their comrades, to enter the cabin. Cautiously lifting the latch, the two men stepped over the threshold, each receiving, as he did so, the fire of the desperate inmate. Copley was shot in the breast, and Ball in the hip. Both staggered out, exclaiming in the same breath, "I'm shot." Two of the company supported Copley to the hotel, but the poor fellow died of the wound in a few moments. Ball recovered sufficiently to remain upon the ground.

When it was known that Copley was killed, the exasperation of the party at the dastardly deed

knew no bounds. They instantly decided to inflict summary vengeance upon the murderer. Protected by the logs of the cabin, of which the door was the only entrance, the crowd appreciated the Mexican's facilities for making an obstinate and bloody defence. How to secure him without injury to themselves, called for the exercise of strategy rather than courage. Fortunately, a dismounted mountain howitzer which had been left by a wagon train lay near by; and bringing this to a point within a few rods of the side of the cabin, they placed it upon a box, and loaded it with shell. At the first discharge, the fuse being uncut, the missile tore through the logs without explosion. The second was equally unsuccessful, on account of the shortness of range. Aim was now directed at the chimney, upon the supposition that the man might have sought refuge within it, and a solid shot sent through it — the men meantime firing into the hole made by the shell in the side of the cabin. No shot was fired in return.

A storming party was now formed, the men of Nevada being the first to join it. Half a dozen in number, the men moved steadily onward under cover of neighboring cabins, until they reached the space between them and the beleaguered cita-

del. Rushing impetuously across, they stood in front of the entrance, the door having fallen inwards from the fusillade. Looking cautiously into the cabin, they discovered the boots of the Mexican, protruding beneath the door, which had fallen upon him. Lifting the door, they dragged him forth. He was badly injured, but, on the moment of his appearance, Smith Ball emptied his revolver into his body. A clothes-line near was taken down, and fastened round his neck, and an ambitious citizen climbed a pole, and, while those below held up the body of the expiring Mexican, he fastened the rope to the top of the pole. Into the body thus suspended, the crowd discharged more than a hundred shots, — satiating their thirst for revenge upon a ghastly corpse.

While this scene was progressing, several other persons were engaged in tearing down the cabin. Throwing it into a pile, it was set on fire, and, when fairly in a blaze, the riddled body of Pizanthia was taken down, and placed upon the pyre. Its destruction by the devouring element was complete; not a vestige of the poor wretch remained; though the next morning a number of notorious women were early at the spot, engaged in panning out the ashes of the ill-fated desperado, in search of gold.

This entire transaction was an act of popular vengeance. The people were infuriated at the murder of Copley, who, besides being one of their best citizens, was a general favorite. There seemed to be no occasion or excuse for it, as the Vigilantes contemplated nothing more by the arrest of Pizanthia, than an examination of his territorial record. With the crimes he had committed before he came to the Territory, they had nothing to do; and if he had been guilty of none after he came there, the heaviest possible punishment they would have inflicted was banishment. He brought his fate upon himself. It was a brief interlude in Vigilante history, the terrible features of which, though they may be deemed without apology or excuse, need not seek for multiplied precedents outside of the most enlightened nations or most refined societies in all Christendom.

CHAPTER XII.

EXECUTION OF DUTCH JOHN.

Dutch John was still a prisoner in charge of Fetherstun, in the gloomy cabin on Yankee Flat, a euphonious title given to a little suburb of a dozen cabins of the town of Bannack. He had behaved with great propriety, and by his amiability of deportment won the sympathy and respect of his captors. The revelations which he made in his confession, implicating others, made him fearful of his former companions in crime, who, he knew, would kill him on the first opportunity. One night during his imprisonment both he and Fetherstun were alarmed by the sound of approaching footsteps and suppressed voices in earnest conversation. Fetherstun prepared his arms for a defence. Casting a glance at his prisoner, what was his astonishment to see him standing near the door, with a loaded double-barrelled gun, awaiting the approach of the outsiders.

"That's right, John," said Fetherstun approvingly; "fire upon them if they come. Don't spare a man."

John smiled and nodded, levelling the muzzle of the gun towards the sound, but the ruffians heard the click of the locks, and departed. John could have shot his keeper and escaped, but he feared the vengeance of his comrades more than the stern justice of the Vigilantes.

The fate of this desperado was yet undecided by the Committee. He was not without strong hope of escape, and his good conduct was doubtless attributable to the belief that both Howie and Fetherstun would interpose to save him. The evening of the day after the death of Pizanthia, the Committee met. The case of Dutch John came up for discussion. If it had been consistent with the laws prescribed for the government of the Committee, John would have been banished; but his guilty, blood-stained record demanded that he should die. He had been a murderer and highwayman for years, and the vote for his immediate execution was unanimous. The decision was reduced to writing, and a member of the Committee deputed to read it to the prisoner, and inform him that he would be executed in one hour. The wretched man was overcome. He rose from his blankets, and paced several times excitedly across the floor. Like Plummer, he then resorted to supplication.

"Do with me as you please. Disable me in any way, cut off my hands and feet, but let me live. You can certainly destroy my power for harm without taking my life."

"Your request cannot be complied with," said the messenger. "You must prepare to die."

"So be it, then," he replied, and immediately all signs of weakness disappeared. "I wish," he continued, "to write to my mother. Is there a German here who can write my native language?"

Such a person was sent for. Under John's dictation, he wrote a letter to his mother. It was read to him, and he was so dissatisfied with it that he removed the rags from his frozen hands and fingers, and wrote himself.

He told his mother that he had been condemned to death, and would be executed in a few minutes. In explanation of his offence, he wrote that while coming from the Pacific side, to deal in horses, he had fallen into the company of bad men. They had beguiled him into the adoption of a career of infamy. He was to die for aiding in the robbery of a wagon, while engaged in which he had been wounded, and his companion was slain. His sentence, though severe, he acknowledged to be just.

Handing the letter to the Vigilantes, he quietly replaced the bandages upon his unhealed fingers.

His manner, though grave and solemn, was composed and dignified. Something in his conduct showed that he truly loved his mother. Much sympathy for him was evinced in the manner and attention of those who conducted him to the place of execution, in an unfinished building at no great distance from his place of confinement. The first objects which met his gaze, as he stood beneath the fatal beam, were the bodies of Plummer and Stinson, the one laid out upon the floor for burial, the other upon a work-bench. He gazed upon their ghastly features unshrinkingly, and in clear tones asked leave to pray, which was readily granted. Kneeling down, amid the profound silence of a crowd of spectators, his lips moved rapidly, and his face wore a pleading expression, but his utterance was inaudible. Rising to his feet, while seemingly still engaged in prayer, he cast an expressive glance at the audience, and then surveyed the provisions made for his execution. A rope with the fatal noose dangled from the cross-beam, and beneath it stood a barrel, around which was a cord, whose ends, stretching across the floor, left no doubt as to the office it was extemporized to perform.

"How long," he inquired, "will it take me to die? I have never seen a man hanged."

"It will be very short, John, — very short. You will not suffer much pain," was the reply of a Vigilante.

The poor wretch mounted the barrel, and stood perfectly unmoved while the rope was adjusted to his neck. The men laid hold of the rope which encircled the barrel. Everything being prepared, at the words, "All ready," the barrel was jerked from beneath him, and the stalwart form of the robber, after several powerful struggles, hung calm and still. Dutch John had followed his leader to the other shore.

CHAPTER XIII.

VIRGINIA CITY EXECUTIONS.

VIRGINIA CITY SURROUNDED BY VIGILANTES FROM ALL PARTS OF THE GULCH —FRANK PARISH, BOONE HELM, "CLUBFOOT GEORGE," JACK GALLAGHER, AND HAYES LYONS ARRESTED, TRIED, AND EXECUTED — BILL HUNTER ESCAPES THROUGH THE LINE OF GUARDS.

WHILE the events I have just recorded were in progress at Bannack, the Vigilantes of Virginia City were not inactive. Alder Gulch had been the stronghold of the roughs ever since its discovery. Nearly all their predatory expeditions had been fitted out there. Being much the largest, richest, and most populous mining camp in the Territory, the opportunities it afforded for robbery were more frequent and promising, and less liable to discovery, than either Bannack or Deer Lodge. It was also filled with saloons, hurdy-gurdies, bagnios, and gambling-rooms, all of which were necessities in the lives of these free rangers of the mountains. At the time of which I write there was a population of at least twelve thousand,

scattered through the various settlements from Junction to Summit, a distance of twelve miles. It was essentially a cosmopolitan community, — American in preponderance, but liberally sprinkled with people from all the nations of Europe. Some were going, and others coming, every day. Gold dust was abundant, and freedom from social and moral restraint characterized all classes, to an extent bordering upon criminal license.

The Vigilantes, more than ever, after it was decided to execute Plummer, comprehended the necessity for prompt and vigorous measures, as that event of itself would be the signal for all the guilty followers of that chief to fly the Territory. Accordingly, having ascertained that six of the robber band were still remaining in Virginia City, the Executive Committee decided upon effectual means for their immediate arrest. On the thirteenth day of January, three days after Plummer was executed, an order was quietly made for the Vigilantes to assemble at night in sufficient force to surround the city. Not a man was to be permitted to leave the city after the line of guards was established. Bill Hunter, one of the six marked for capture, suspecting the plot, effected his escape by crawling beyond the pickets in a drain ditch. The city was encircled, after night-

fall, by more than five hundred armed men, so quietly that none within, except the Vigilantes, knew of it until the next morning. All that long winter night, while that cordon of iron men was quietly stretching along the heights overlooking the city, the Executive Committee sat in council, deliberating upon the evidences of guilt against the men enmeshed in their toils.

At the same time another small band was assembled around a faro table in the chamber of a gambling-saloon. Jack Gallagher suddenly broke the silence of the game with the remark, —

"While we are here betting, those Vigilantes are passing sentence of death upon us."

Wonderful prescience! he little knew or realized the truth which this observation had for him and his comrades in iniquity.

Morning broke, cold and cloudy, discovering to the eyes of the citizens the pickets of the Vigilantes. The city was like an intrenched camp. Hundreds of men, with guns at the shoulder, were marching through the snow on all the surrounding hillsides, with military regularity and precision. The preparation could not have been more perfect if made to oppose an invading army. There was no misunderstanding this array. People talked with bated breath to each other of the certain

doom which awaited the villains who had so long preyed upon their substance, and spread terror through the country.

Messengers were sent to the different towns in the gulch to summon the Vigilantes to appear forthwith, and take part in the trial of the ruffians. At the same time parties were detailed to arrest and bring the criminals before the Committee. Boone Helm, Jack Gallagher, Frank Parish, Hayes Lyons, George Lane, and Bill Hunter were known to be in the city at the time the picket guard was stationed. Of these, Hunter had escaped. The Vigilantes from Nevada, Junction, Summit, Pine Grove, and Highland marched into town in detachments, and formed in a body on Main Street. The town was full of people.

Frank Parish, the first prisoner brought in, was quietly arrested in a store. He exhibited little fear. Taking an executive officer aside, —

"What," he inquired, "am I arrested for?"

"For being a road-agent, thief, and an accessory to numerous robberies and murders on the highway."

"I am innocent of all, — as innocent as you are."

When, however, he was put upon his examina-

tion before the Committee, and facts were brought home to him, he receded from his position of innocence, and confessed to more and greater offences than were charged against him.

"I was," said he, "one of the party that robbed the coach between Virginia City and Bannack."

This confession took the Committee by surprise. He then admitted that he had been guilty of horse-stealing for the robbers, and had butchered stolen cattle to supply them with food. He was fully cognizant of all their criminal enterprises, and shared with them as a member of the band. Upon this confession he was condemned to suffer death. He gave directions concerning his clothing and the settlement of his debts. His case being disposed of, he was committed to the custody of a strong guard.

George Lane (Clubfoot George), who has figured conspicuously in this history, was next introduced into the presence of the Committee. He was arrested without trouble, at Dance and Stuart's store. Perfectly calm and collected, he inquired, —

"Why am I arrested?"

On receiving the same answer that had been given to Parish, he replied, —

"If you hang me, you will hang an innocent man."

"We have positive proof of your guilt," was the response of the examining officer. "There is no possibility of a mistake."

"What will you do with me?"

"Your sentence is death," was the answer.

His eyes dropped, and his countenance wore an expression of deep contrition. For some moments he covered his face with his hands, seemingly overcome by the dreadful announcement. At length, dropping his hands, and looking into the face of the officer, he inquired, —

"Can I have a minister, to pray for and talk with me?"

"One shall be immediately sent for."

And when the clergyman appeared, Lane, in care of the guard, spent his remaining hours of life in attending to the affairs of his soul.

While his examination was progressing, parties came in with Boone Helm and Jack Gallagher. The former had been arrested by strategy, while standing in front of the Virginia Hotel. With an armed man on either side, and one behind with a pistol presented to his head, this veteran scoundrel, bloodier far than any of his comrades, was marched into the presence of his judges.

"Ah!" he exclaimed, "if I'd only had a show,

if I'd known what you were after, you would have had a gay old time in taking me."

His right hand was wounded, and supported by a sling. With much apparent serenity, he sat down on a bench, and looked defiantly into the faces of the members of the Committee.

"What do you want of me here?" he inquired, affecting entire ignorance of the cause of his arrest.

"We have proof that you belong to Plummer's band of robbers, that you have been guilty of highway robbery and murder, and wish to hear what you have to say to these charges."

"I am as innocent," replied the miscreant, in a deliberate tone, "as the babe unborn. I never killed any one, nor robbed or defrauded any man. I am willing to swear it on the Bible."

Less for any more important purpose than that of testing the utter depravity of the wretch, the interrogator handed him a Bible. With the utmost solemnity of manner and expression, he repeated the denial, invoking the most terrible penalties upon his soul, in attestation of its truthfulness, and kissed the volume impressively at its close.

The Committee regarded this sacrilegious act of

the crime-hardened reprobate with mingled feelings of horror and disgust.

"This denial," said the president, "can avail you nothing. Your life for many years has been a continuous career of crime. It is necessary that you should die. You had better improve the little time left you in preparation."

Helm looked hopelessly around, but saw no glance of sympathy in the stern features of his judges. Beckoning to a person standing near, he whispered, —

"Can I see you alone for a few minutes?"

The man, supposing that he was desirous of obtaining spiritual counsel, replied, —

"I will send for a clergyman."

"No," was the instant rejoinder. "I want no clergyman. You'll do as well."

Stepping into the inner room, Helm closed the door, and, turning to the man, in an anxious tone put the question, —

"Is there no way of getting out of this scrape?"

"None. No power here is available to save you. You must die."

"Well, then," said he, "I'll admit to you that I did kill a man by the name of Shoot, in Missouri. When I left there I went to California, and killed another chap there. I was confined

in jail in Oregon, and dug my way out with tools given me by my squaw."

"Now," said his confessor, "having told me thus much, will you not give me what information you can concerning the band to which you belong, their names, crimes, and purposes?"

"Ask Jack Gallagher. He knows more than I do."

Gallagher, who had been brought into an adjoining apartment, separated from the one in which this conversation occurred by a thin board partition, on hearing this reference to himself, poured forth a torrent of profane abuse upon the head of his guilty confederate.

"It is just such cowardly rascals and traitors as you," said he, "that have brought us into this difficulty. You ought to die for your treachery."

"I have dared death in all its forms," said Helm, "and I do not fear to die. Give me some whiskey."

The guilty wretch, having been consigned to the custody of keepers, steeped what little sensibility he possessed in whiskey, and passed the time until the execution in ribald jesting and profanity.

Jack Gallagher bounded into the committee-room, swearing and laughing, as if the whole affair was intended as a good joke.

"What," said he, with an oath and epithet appended to every word, "is it all about? This is a pretty break, isn't it?"

On being informed of the charges against him, and the sentence of the Committee, he dropped into a seat and began to cry. In a few moments he jumped up, and with much expletive emphasis demanded the names of the persons who had informed against him.

"It was 'Red,' who was hanged a few weeks ago on the Stinking-water."

Gallagher cursed the dead ruffian for a traitor, liar, and coward, in the same breath.

"My God!" said he, "must I die in this way?" He was taken out of the committee-room while uttering the most terrible oaths and blasphemies.

Hayes Lyons, the only remaining ruffian, had not yet been arrested. The party detailed for that object, while searching for him at the Arbor Restaurant, had found and captured Gallagher, on learning which the Gallagher pursuers immediately took up the hunt for Lyons. Foiled at several points, they accidentally learned that he had crossed the crags overhanging the gulch, and, after wandering in a circuit of several miles through the mountains, had come back to a miner's cabin

but half a mile distant from his point of departure. Proceeding with all possible speed to the cabin, the leader threw open the door, and, bringing his pistol to a deadly aim, exclaimed, —

"Throw up your hands."

Lyons, who was in the act of raising a piece of a griddle-cake to his mouth, dropped the fork instantly, and obeyed the order.

"Come out here, and surrender at once," was the next command.

He was in his shirt-sleeves, and, as he stepped out of the door into the biting atmosphere, he asked in an undertone, —

"Will some one get my coat?"

A member of the party brought it to him, and assisted him in putting it on. He trembled so much with fear that it was with difficulty he could get his arms into the sleeves. While the party were searching him to ascertain if he was armed, he said, —

"You disturbed me in the first meal I have sat down to with any appetite in six weeks."

"Finish your dinner," said the leader. "We will wait for you."

"Thank you; you are very kind, but I can eat no more. What do you intend doing with me? Will I be hung?"

"We are not here to promise you anything. You had better prepare for the worst."

"My friends advised me to leave two or three days ago."

"You would probably have done well had you followed their advice. Why didn't you go?"

"Because I had done nothing wrong, and did not wish to leave."

It is probable that but for the blandishments of a fascinating mistress, the memory of Dillingham's murder would have dictated to this ruffian an earlier and more successful effort at escape.

"Have you heard of the execution of Plummer, Stinson, and Ray?" asked the leader.

"Yes; but I don't believe the report is true."

"You may bet your sweet life on 't."

"Did they make any resistance?"

"No; they had no opportunity."

Arriving at the committee-room, the prisoner was immediately confronted with the officers.

"We have condemned you to death for the murder of Dillingham, and being associated in membership with Plummer's band of road agents. Have you anything to say in extenuation?"

"That I am not guilty. I have committed no crimes, and formed no associations, that call for such severity. I am as innocent as you are."

And yet, but a short time before, the wretched man had confessed to a leader of one of the police committees in presence of several witnesses, that he was the murderer of Dillingham. His complicity with Plummer's band was known to all.

Scarcely was Lyons's examination concluded, when word was brought to the Committee that two suspicious persons, who had gone hurriedly to Highland district, three miles above Virginia City, the evening before, were concealed in one of the unoccupied cabins there. An officer with fifteen men was sent to arrest them. They were disarmed, and brought before the Committee, but, no evidence appearing against them, they were discharged.

The examination being over, preparations were made for the execution of the convicts. These were very simple. The central cross-beam of an unfinished log store, cornering upon two of the principal streets, was selected for a scaffold. The building was roofless, and its spacious open front exposed the interior to the full view of the crowd. The ropes, five in number, were drawn across the beam to a proper length, and fastened firmly to the logs in the rear basement. Under each noose was placed a large, empty dry-goods box, with cord attached, for the drops.

Beside the large body of armed Vigilantes, a great number of eager spectators had assembled from all parts of the gulch to witness the execution. Six or eight thousand persons, comprehending the larger portion of the population of the Territory, gathered into a compact mass when the prisoners, with their armed escort, marched from the committee-rooms into the street, and were ranged in front of the guard.

"You are now," said the president, addressing them, "to be conducted to the scaffold. An opportunity is given you to make your last requests and communications. You will do well to improve it by making a confession of your own crimes, and putting the Committee in possession of information as to the crimes of others."

The prisoners separately declined to make any communication. When the guard were about to fasten their arms, Jack Gallagher, with an oath, exclaimed, —

"I will not be hung in public," and, drawing his pocket-knife, he applied the blade to his throat, saying: "I will cut my throat first."

The executive officer instantly cocked and presented his pistol.

"If you make another move of your arm," said he, "I will shoot you like a dog. Take the

knife from him, and pinion him at once," he continued, addressing the guard. The ruffian cursed horribly, all the while his arms were being tied.

Boone Helm, with customary adjective profanity, said to Gallagher in a consolatory tone, —

"Don't make a fool of yourself, Jack. There's no use or sense in being afraid to die."

After the process of binding was completed, each prisoner was seized by the arm on either side, by a Vigilante who held in the hand not thus employed a navy revolver, ready for instant use. The large body of armed Vigilantes were then formed around the prisoners, into a hollow square, four abreast on each side, and a column in front and rear. A few men with pistols were dispersed among the crowd of spectators, to guard against any possible attempt at rescue. Thus formed, the procession marched in the direction of the scaffold with slow and solemn pace. The silence of the great throng was unbroken by a whisper, and, more eloquently than language could have done, declared the feelings of anxiety and suspense by which all were animated. Some little delay being necessary to complete the preparations at the scaffold, the procession halted in front of the Virginia Hotel, on the corner diagonally from it across Main street. While

waiting there, "Clubfoot George" called to his side Judge Dance, and said to him, —

"You have known me ever since I came to Virginia City, more intimately than any other man. We have had dealings together. Can you not in this hour of extremity say a good word for my character?"

"It would be of no use, George. Your dealings with me have always been fair and honorable; but what you have done outside, I only know from the evidence, and that is very strong against you. I can do you no good."

"Well, then," said the penitent ruffian, "will you pray with me?"

"Willingly, George; most willingly," and, suiting the action to the word, the judge dropped upon his knees, and, with George and Gallagher kneeling beside him, offered up a fervent petition in behalf of the doomed men. Boone Helm was irritated at this request, and, raising his sore finger, exclaimed, —

"For God's sake, if you're going to hang me, I want you to do it, and get through with it; if not, I want you to tie a bandage on my finger."

While the prayer was in progress, Hayes Lyons requested that his hat should be removed. Frank Parish gave abundant evidence of deep contrition,

but Boone Helm continued, as from the first, to treat all the proceedings with profane and reckless levity.

Gallagher, at one moment cursing, and at the next crying, seemed the least composed of any of the prisoners. He wore a handsome cavalry overcoat, trimmed with beaver.

"Give me that coat, Jack," said Helm, as Gallagher rose from his knees. "You never yet gave me anything."

"It's little use you'll make of it now," responded Gallagher with an oath, and, catching at the moment the eye of an acquaintance, who was regarding him from a window of the hotel, he called to him in a loud tone, —

"Say, old fellow, I'm going to heaven. I'll be there in time to open the gate for you."

"Halloo, Bill!" said Boone Helm to one in the crowd, "they've got me this time; got me, sure, and no mistake."

Hayes Lyons begged of his captors the privilege of seeing his mistress. "Let me bid her good-by and restore this watch to her, which is her property." The request was refused, only to be repeated, and on being made a third time he received for answer, —

"Hayes! bringing women to the place of exe-

cution 'played out' in '63, when they interfered with your trial for killing Dillingham."

The unhappy wretch ceased further importunity.

When the arrangements at the scaffold were completed, the guard crossed the street, opened ranks, and the prisoners were conducted through into the building, each as he entered stepping upon one of the dry-goods boxes. Ranged side by side, "Clubfoot George" was first on the east side of the room; next to him was Hayes Lyons, then Jack Gallagher, then Boone Helm, and near the west wall Frank Parish. The area in front of them was occupied by the guard and the members of the Executive Committee. The two streets in front and at the side of the building were crowded with armed Vigilantes and spectators. The order being given to remove the hats of the prisoners, Clubfoot George, whose hands were loosely fastened, contrived to reach his hat, which he threw spitefully on the floor, the hats of the others being at the same time removed by the guard.

After the nooses were adjusted, the chief of the Committee said to the prisoners, —

"You are now about to be executed. If you have any dying requests to make, this is your last

opportunity. You may be assured they shall be carefully heeded."

Jack Gallagher broke in upon the closing part of this address with a leer, —

"How do I look, boys," he asked, "with a halter around my neck?" The grim effort failed to elicit a smile.

"Your time is very short," said the chief, again reminding them that their requests would be listened to.

"Well, then," said Gallagher, "I want one more drink of whiskey before I die."

The loathing which this request excited was apparent in the expression of the countenances of all who heard it. Some men exchanged meaning glances, revealing thereby the shock their sensibilities had received by this exhibition of depravity. Others craned their necks over the crowd, as if they had not heard aright. For a few minutes no one seemed to know what answer to make to a man whose last moments were given to the gratification of his evil appetites. This silence was soon broken, however, by an old miner.

"We told 'em," said he, "that we'd do whatever they asked. Give him the liquor."

A man appeared in a moment with a tumbler

nearly full. Raising it as high as he could, the prisoner bent his head, but was restrained by the rope from touching the glass with his lips. Throwing his head back, he turned on the box, and, looking back upon the fastenings of the rope to the basement log at the rear of the building, in a loud and imperious tone he launched a profane and vulgar epithet at the guard, saying, —

"Slacken that rope, quick, and let a man take a parting drink, won't you?"

The rope was loosed, while the depraved wretch drained the tumbler at a draught. While the guard was refastening it, he exclaimed, —

"I hope Almighty God will curse every one of you, and that I shall meet you all in the lowest pit of hell."

The Committee decided that the executions should be single, commencing with "Clubfoot George," and concluding with Hayes Lyons, who stood next to him in order. At the words "Men, do your duty," the men holding the cords attached to the box on which the prisoner in turn stood, were by a sudden jerk to pull the footing from under him. A fall of three feet was deemed sufficient to dislocate the neck, and avoid the torture of protracted strangulation.

No more requests being made, the men laid

hold of the cords attached to the box occupied by George Lane. Just at that moment the unhappy wretch descried an old friend clinging to the logs of the building, to obtain sight of the execution.

"Good-by, old fellow," said he. "I'm gone," and, without waiting for the box to be removed, he leaped from it, and died with hardly a struggle.

"There goes one to hell," muttered Boone Helm.

Hayes Lyons, who stood next, was talking all the while, telling of his kind mother; that he had been well brought up, but evil associations had brought him to the scaffold.

Gallagher cried and swore by turns.

"I hope," said he, "that forked lightning will strike every strangling villain of you." The box, flying from under his feet, stopped an oath in its utterance, and the quivering of his muscles showed that his guilty career was terminated.

"Kick away, old fellow," said Boone Helm, calmly surveying the struggles of the dying wretch. "My turn comes next. I'll be in hell with you in a minute." Shouting in a loud voice, "Every man for his principles! Hurrah for Jeff Davis! Let her rip," his body fell with a twang that killed him almost instantly.

Frank Parish maintained a serious deportment from the moment of his arrest until his execution. At his request his black necktie was dropped like a veil over his face. He "died and made no sign."

Hayes Lyons was the only one remaining. Looking right and left at the swaying bodies of his companions, his anxious face indicated a hope of pardon. His entreaties were incessant, but when he found them unavailing, he requested that his mistress might have the disposition of his body; that the watch of hers which he wore might be restored to her, and that he might not be left hanging for an unseemly time. He died without a struggle.

Two hours after the execution the bodies were cut down, and taken by friends to Cemetery Hill for burial.

X. Beidler officiated as adjuster of the ropes at this execution. Jack Gallagher had killed a friend of his. Some time afterwards, when he was relating the circumstances attending the execution, in a mixed crowd, a gentleman present who was greatly interested in the narrative, and whose sympathy for the ruffians was very apparent, asked, at the close of the narrative, in a lachrymose tone, —

"Well, now, when you came to hang that poor fellow, didn't you sympathize with him, didn't you feel for him?"

Beidler regarded the man for a moment with great disgust, and, imitating his tone, replied slowly, —

"Yes, I did. I felt for him a little, I felt for his left ear."

CHAPTER XIV.

PURSUIT OF ROAD AGENTS.

PURSUIT, CAPTURE, AND EXECUTION OF STEVE MARSHLAND, BILL BUNTON, CYRUS SKINNER, ALEX CARTER, JOHNNY COOPER, GEORGE SHEARS, AND BOB ZACHARY — INCIDENTS BY THE WAY.

THE work so well begun was prosecuted with great energy. The ruffians had fled from Virginia City and Bannack, over the range to Deer Lodge and Bitter Root, intending gradually to return to their old haunts in Idaho. The Vigilantes, resolved that they should not escape, took up the pursuit. A company of twenty-one, under the command of a competent leader, left Nevada on the fifteenth of January. Arriving at Big Hole in the evening, they sent a detachment to Clark's ranche to arrest the bandit Steve Marshland, who was laid up with frozen feet, and the wound which he received in the breast while attacking Moody's train. Receiving no response to their repeated raps at the door of the cabin, one of the

party entered, and, lighting a wisp of straw, found Marshland in bed.

"Hands up, if you please," said he, pointing his revolver at the head of the prostrate robber, who obeyed the command as well as circumstances would admit.

"Are you sick, Steve?" queried the Vigilante.

"Yes — very," faintly responded Marshland.

"No one with you?"

"No one, — no living thing but the dog."

"What is the matter?"

"I've got the chills."

"Strange! New kind of sickness for winter! Nothing else the matter?"

"Yes. I froze my feet while prospecting at the head of Rattlesnake creek."

"Did you raise the color?"

"No. The water prevented me from going to bed-rock."

While this conversation was in progress, the party had built a fire and commenced cooking supper. Removing from beside the bed two double-barrelled shotguns, a yager, and another rifle, they invited Marshland to get up and take supper with them. During the meal all engaged in merry conversation. After it was over, the

leader informed Marshland that he was arrested for the robbery of Moody's train.

"You received," said he, "while engaged in that robbery, a bullet wound in the breast, by which we shall be able to identify you."

"I received no such wound," said he; and, striking his breast several times, he continued, "My breast is as sound as a dollar."

"You can have no objection, then, to submitting to our examination."

"None in the least, gentlemen. Look for yourselves."

The leader threw open his shirt. The mark of the recent wound confirmed the guilt of the robber. He could give no explanation of the manner in which he received it.

"The evidence is satisfactory to us," said the leader. "We have made no mistake in arresting you. You must die."

"For God's sake do not hang me. Let me go, and I will trouble you no more."

"It cannot be. We shall certainly execute every one of Plummer's infamous band that falls into our hands, and we hope to catch them all."

Finding importunity of no avail, he made a full and frank confession of all his crimes. A scaffold was improvised by sticking a pole into

the ground, the end of which projected over the corral fence, upon which the pole rested. A box taken from the cabin was placed under it, for the prisoner to stand upon. When all was ready, and the fatal noose was adjusted, the prisoner once more appealed to his captors.

"Have mercy on me for my youth!" he exclaimed.

"You should have thought of it before," replied the leader, as he gave the fatal order, and the poor wretch was launched into eternity.

The scent of his frozen feet attracted the wolves, and the party were obliged to watch both him and the horses, to prevent an attack by these animals. He was buried near the place of execution. The detachment found the main party the next morning, having been absent only one night.

The Vigilantes resumed their march, beginning at this point the ascent of the Deer Lodge divide. Not knowing how soon or where they might overtake others of the gang, they rode forward in double file at the rate of sixty miles a day. They divided their company into four messes, each of which being supplied plentifully with food already cooked, they lighted no large campfires, lest the smoke therefrom should betray them. A double watch was kept over the horses

while in camp. Each man was armed with at least one, some with two revolvers, and a shot-gun or rifle. While on the march, the captain was in the van. After they descended into the valley of Deer Lodge, a spy was sent forward to reconnoitre the town of Cottonwood, with instructions to meet the party at Cottonwood creek.

At four o'clock P.M. they halted at Smith's ranche, seventeen miles from Cottonwood, until after dark, when they rode cautiously forward until within a short distance of the town. Learning from their spy that all the robbers except Bunton and "Tex" had gone, they rode hastily into the town and surrounded the saloon of the former. Bunton refused to open the door. Three men detailed to arrest him called to him and expressed a wish to see him. He persisted in denying them admittance, until convinced that they would effect an entrance by force; and he then told a man and boy in his employ to let them in. The door was opened, but, as the lights within had been extinguished, the men declined to enter until a candle was lighted. As soon as light was furnished, they rushed in, and the leader exclaimed, —

"Bill, you are my prisoner!"

"For what?" inquired Bunton.

"Come with us at once, and you'll find out."

Observing that he made signs of resistance, a Vigilante, whose courage exceeded his strength, seized the ruffian and attempted to drag him out. Finding himself overmatched, he called to his assistance a comrade, who soon succeeded in binding the hands of the desperado behind him. In this condition he was conducted by a guard to the cabin of Peter Martin.

"Tex," who was in the saloon, was conquered in much the same manner, and forced to follow his companion.

Martin, who knew nothing of the arrest, was seated at a table playing a game at cards with some friends. Hearing that the Vigilantes were surrounding his house, he dropped his cards, and started with great affright for the door. For a long time he refused to obey their summons to come out, but, on being assured that he "wasn't charged with nothin'," he opened the door and returned to his game.

After breakfast the next morning a person who had been conversing with Bunton informed the Vigilantes that he had said to him that he would "get one of them yet," on learning whereof they searched him a second time. They found a der-

ringer in his vest-pocket, which had evidently been placed there by some sympathizer during the night.

Bunton refused to make any answer to the charges made against him. No doubt was entertained of his guilt. The vote on his case, taken by the uplifted hand, was unanimous for his execution. The captain informed him of it.

"If you have any business to attend to, you had better intrust it to some one, as we cannot be delayed here."

Bunton immediately gave his gold watch to his partner Cooke, and appropriated his other property to the payment of his debts. He had gambled for and won the interest in the saloon from its former owner a fortnight before this time. Having thus disposed of his affairs, he was conducted to the gate of a corral near, surmounted by a gallows-frame, beneath which a board laid upon two boxes served the purpose of a drop. While the hangman was adjusting the rope, he gave him particular instructions about the exact situation of the knot. This being fixed to suit him, he said to the captain, —

"May I jump off myself?"

"You can if you wish," was the reply.

"I care no more for hanging," said Bunton,

"than I do for taking a drink of water; but I should like to have my neck broken."

On being asked if he had anything further to say, he replied, —

"Nothing, except that I have done nothing to deserve death. I am innocent. All I want is a mountain three hundred feet high to jump from. And now I will give you the time; one — two — three." The men were prepared to pull the plank from under him should he fail to jump, but he anticipated them, and, adding the words, "Here goes," he leaped and fell with a loud thud, dying without a struggle.

"Tex" was separately tried. The evidence being insufficient to convict him, he was liberated, and left immediately for the Kootenai mines.

Mrs. Demorest, the wife of the owner of the corral, was so greatly outraged by the use made of the gate frame that she gave her husband no peace until the poles were cut down, and the frame entirely unfitted for further use as a gallows.

After the execution of Bunton, the Vigilantes, in company with Jemmy Allen, a rancheman, left Cottonwood for Hell Gate, a little settlement ninety miles down the river, in the vicinity of Bitter Root valley. Snow covered the ground to the depth of two feet, and the weather was in-

tensely cold. It was after dark when the company arrived at one of the crossings of the Deer Lodge. The river, being a rapid mountain stream, seldom freezes sufficiently solid to bear a horseman; but, no other mode of transit presenting itself, the Vigilantes drove hurriedly upon the frozen surface, and, before they were half-way across, the ice gave way, precipitating their horses into the water. Had the stream been wide, all must have perished. As it was, after much floundering and considerable exertion, all were landed safely on the opposite bank. One of the party barely escaped drowning, and his horse was dragged from the stream by a lariat around his neck. At eleven o'clock the company arrived at Allen's ranche, where they passed the remainder of the night in blankets.

The next day, accompanied by Charles Eaton, who was familiar with the country, they rode on in the direction of Hell Gate, but, owing to the great depth of the snow, progressed only fifteen miles. They made a camp in the snow. Their horses, being accustomed to the mountains, pawed in the snow to find the bunch-grass. The ride of the following day terminated at the workmen's quarters on the Mullen wagon-road. One of the ponies broke his leg by stepping into a badger hole while

they were going into camp, and another, by a similar accident, stripped the skin from his hind-legs. They were obliged to shoot the former, and turn the latter loose to await their return.

The troop were in their saddles at daylight, on the route to the settlement, which they approached to within six miles, and went into camp until after nightfall. Then they resumed their ride, stopping a short distance outside of the town. The scout they had sent to reconnoitre brought them all needful information, and, mounting their horses, they entered the town on a keen run. Skinner was standing in the doorway of his saloon, when they rode up, surrounded the building, and ordered him to "throw up his hands."

"You must have learned that from the Bannack stage folks," said his *chère amie*, Nelly, who was an observer of the scene.

Two men dismounted, and, seizing Skinner, bound him immediately. Meantime two or three Vigilantes threw open the door of Miller's cabin, which was next to Skinner's, and Dan Harding, the foremost among them, levelling his gun, shouted to some person lying upon a lounge, —

"Alex, is that you?"

"Yes," replied the man, "what do you want?"

"We want you," was the reply, as the men

rushed in, took his pistol, and bound the robber before he was thoroughly aroused from sleep.

"These are rather tight papers — ain't they, boys?" said Carter. "Give me something to smoke and tell me the news." On being told the names of those who had been executed, he quietly remarked, —

"That's all right; not an innocent man hung yet."

He and Skinner were conducted down to Higgins's store, and their examination immediately commenced. Three hours were occupied in the investigation, during which Nelly came down, with the intention of interfering in Skinner's behalf. She was sent home under guard; and her escort, on searching her premises, found Johnny Cooper prostrated by three pistol shots, received in a quarrel with Carter the previous day, but for which it had been the intention of Carter and Cooper to leave for Kootenai. The baggage and provisions they had procured for the journey, worth a hundred and thirty dollars, together with the pack-animal, were taken for the use of the expedition, and were paid for by M. W. Tipton, whom Carter and Cooper had persuaded to become their surety for the amount.

During the trial of Carter, he confessed his

complicity as accessory, both before and after the fact, to the murder of Tiebalt. It was proven also that he was concerned in the coach robbery. Skinner made no confession, nor was it necessary, as his criminal character and acts were susceptible of abundant proof.

Cooper was tried separately. He was one of the lieutenants of the band. A Vigilante by the name of President testified to his having murdered a man in Idaho, for which he was arrested by the people. While being conducted to the place of trial, he broke from his captors, leaped with a bound upon a horse standing near, and, amid a hundred shots, escaped uninjured, and came to Montana.

On the evening of the day these trials were in progress, a detachment of eight men left Hell Gate in pursuit of Bob Zachary, whom they found seated in bed, in the cabin of Hon. Barney O'Keefe, known throughout Bitter Root valley as "the Baron." One of the party, on entering, pushed him over, upon his back, taking from him, at the same time, his pistol and knife. While on their return with him to Hell Gate, O'Keefe unintentionally mentioned that a stranger was stopping at Van Dorn's cabin, in the Bitter Root valley. A company of three Vigilantes, sus-

pecting by the description given that he was none other than George Shears, another of the band, started at once in pursuit.

Riding up in front of the cabin, Thomas Pitt, their leader, inquired of the man who met them at the door, if George Shears was in.

"Yes," said Van Dorn. "He is in the inner room."

"Any objection to our entering?" inquired Pitt.

Van Dorn replied by opening the door of the room, where George was discovered, knife in hand. He surrendered without resistance, astonishing his captors by the utter indifference he manifested to the near approach of death. Walking with Pitt to the corral, he designated the horses he had stolen, and confessed his guilt.

"I knew," said he, "I should have to come to this sometime, but I thought I could run another season."

"There is no help for you, George," said Pitt. "You must suffer the same fate as your companions in crime."

"I suppose I should be satisfied," replied the ruffian, "that it is no worse."

He was conducted to the barn, where, a rope being cast over a beam, he was requested, in order

to save the trouble of procuring a drop, to ascend the ladder. He complied without the least reluctance. After the preparations were completed, he said to his captors, —

"Gentlemen, I am not used to this business, never having been hung before. Shall I jump off, or slide off?"

"Jump off, of course," was the reply.

"All right," he exclaimed, "good-by!" and leaped from the ladder, with the utmost *sang froid*. The drop was long, and the rope tender. As the strands untwisted, they parted, until finally one alone remained.

Soon after the party which had captured Zachary and Shears left Hell Gate, intelligence was received there that William Graves (Whiskey Bill) was at Fort Owen in the Bitter Root valley. Three men were sent immediately to arrest and execute him. He was armed and on the lookout, and had repeatedly sworn that he would shoot any Vigilante that came in his way. The party was too wary for him. He was first made aware of their presence, by a stern command to surrender, and a pistol at his heart. He made no resistance, and refused all confession. A rope was tied to the convenient limb of a tree, and the drop extemporized by placing the culprit

astride of a strong horse, behind a Vigilante. When all was ready, the rider, exclaiming "Good-by, Bill," plunged the rowels into the sides of the horse, which madly leaping forward, the fatal noose swept the robber from his seat, breaking his neck by the shock, and killing him instantly.

In the mean time, the trials of Carter, Skinner, and Cooper had resulted in the conviction of those ruffians, and they were severally condemned to die. Scaffolds were hastily prepared by placing poles over the fence of Higgins's corral. Carter and Skinner were conducted to execution by torchlight, a little after the midnight succeeding their trial. Dry-goods boxes were used for drops. On their march to the place of execution, Skinner suddenly broke from his guard, and ran off, shouting, "Shoot! Shoot!" Not a gun was raised, but after a short chase in the snow the prisoner was secured, and led up to the scaffold. He made a second attempt to get away while standing on the box, but a rope was soon adjusted to his neck, and the leader said to him, —

"You may jump now, as soon as you please." Carter manifested great disgust at Skinner's attempt to run away. While he was standing on the drop, one of the Vigilantes requested him to

confess that he participated in the murder of Tiebalt.

"If I had my hands free," he replied with an oath, "I'd make you take that back."

Skinner, who stood by his side, was talking violently at the time, and Carter was ordered to be quiet.

"Well, then, let's have a smoke," said he; and, a lighted pipe being given him, he remained quiet. Both criminals, as they were launched from the platform, exclaimed, "I am innocent" — the password of the band. They died without seeming pain.

The party that arrested Zachary arrived with him the next morning. He was tried and found guilty. By his directions a letter was written to his mother, in which he warned his brothers and sisters to avoid drinking, card-playing, and bad company — three evils which, he said, had brought him to the gallows. On the scaffold he prayed that God would forgive the Vigilantes for what they were doing, as it was the only way to clear the country of road agents. He died without apparent fear or suffering.

Johnny Cooper was drawn to the scaffold in a sleigh, his wounded leg rendering him unable to walk. He asked for his pipe.

"I want," said he, "a good smoke before I die. I always did enjoy a smoke." A letter had been written to his parents, who lived in the State of New York. Several times, while a Vigilante was engaged in adjusting the rope, he dodged the noose, but, on being told to keep his head straight, he submitted. He died without a struggle.

Having finished their mission, the Vigilantes returned to Nevada.

CHAPTER XV.

EXECUTION OF HUNTER.

SEARCH FOR BILL HUNTER — HIS PLACE OF CONCEALMENT DISCOVERED — PARTY START IN PURSUIT — INCIDENTS BY THE WAY — ARRIVAL AT THE CABIN — ARREST — START FOR VIRGINIA CITY — CONSULTATION — EXECUTION — REFLECTIONS.

SOON after the transactions recorded in the last chapter, the Virginia City Vigilantes were informed that Bill Hunter had been seen in the Gallatin valley. It was reported that he sought a covert among the rocks and brush, where he remained during the day, stealing out at night and seeking food among the scattered settlers, as he could find it. His place of concealment was about twenty miles from the mouth of the Gallatin river. A number of the Vigilantes, under the pretence of joining the Barney Hughes stampede to a new placer discovery, left Virginia City, and scoured the country for a distance of sixty miles or more, in search of the missing ruffian. Hunter was discovered during this search.

As soon as it became known that he was at the

spot indicated, four resolute men at once volunteered to go in pursuit of, capture, and execute him. Their route lay across two heavy divides, and required about sixty miles of hurried travelling. The first day they crossed the divide between the Pas-sam-a-ri and the Madison, camping that night on the bank of the latter river, which they had forded with great difficulty. The weather was intensely cold, and their blankets afforded but feeble protection against it. They built a large camp-fire, and lay down as near to it as safety would permit. One of their number spread his blankets on the slope of a little hillock next the fire, and during the night slipped down until his feet encountered the hot embers. The weather increased in severity the next day, during most of which the Vigilantes rode through a fierce mountain snow-storm, with the wind directly in their faces. At 2 o'clock P.M. they halted for supper at the Milk ranche, about twenty miles from the place where they expected to find the fugitive. Under the guidance of a man whom they employed here, they then pushed on at a rapid pace, the storm gathering in fury as they progressed. At midnight they drew up near a lone cabin in the neighborhood of the rocky jungle where their game had taken cover.

"This storm has certainly routed him," said one of the Vigilantes. "Ten to one, we bag him in the cabin."

"Very likely," replied another. "He would not suspect danger in such weather. It will save us a heap of trouble."

One of the men rapped loudly at the cabin door. Opening it slowly, a look of amazement stole over the features of the inmate, as he surveyed the company of six mounted armed men.

"Good-evening," said one, saluting him.

"Don't know whether it is or not," growled the man, evidently suspicious that a visit at so late an hour meant mischief.

"Build us a fire, man," said the Vigilante. "We are nearly frozen, and this is the only place of shelter from this storm for many miles. Surely you won't play the churl to a party of weather-bound prospectors."

Re-assured by this hearty reproof for his seeming unkindness, the man set to work with a will, and in a few moments a genial fire was blazing on the hearth, which the party enjoyed thoroughly. Glancing curiously around the little room, the Vigilantes discovered that it contained three occupants besides themselves. Placing their guns and pistols in convenient position, and

stationing a sentinel to keep watch and feed the fire, the men spread their blankets on the clay surface of the enclosure, and in a few moments were locked in sleep; careful, however, first, to satisfy the eager curiosity of their entertainers, by a brief conversation about mining, stampeding, prospecting, etc., and leading them to believe that they were a party of miners, returning from an unsuccessful expedition.

Fatigued with the ride and exposure of the two previous days, the Vigilantes slept until a late hour the next morning. Two of the occupants of the cabin rose at the same time. The other, entirely enveloped in blankets, kept up a prolonged snore, whose deep bass signified that he was wrapped in profound slumber. The Vigilantes, contriving to keep four of their number in the cabin, while making preparations to depart, soon had their horses saddled; but when all was ready, one of them inquired in a careless tone, —

"Who is the man that sleeps so soundly?"

"I don't know him," said the host.

"When did he come here?"

"At the beginning of the snow-storm, two days ago. He came in and asked permission to remain here until it was over."

"Perhaps it's an acquaintance. Won't you describe him to us?"

The man complied, by giving a most accurate description of Hunter. No longer in doubt, the Vigilante went up to the bedside, and, in a loud voice, called out, "Bill Hunter!"

Hastily drawing the blanket from his face, the occupant stared wildly out upon the six armed men, asking in the same breath, —

"Who's there?"

Six shotguns levelled at his head answered the question.

"Give us your revolver, and get up," was the command. Hunter instantly complied.

"You are arrested as one of Plummer's band of road agents."

"I hope," said Hunter, "you will take me to Virginia City." A Vigilante assented.

"What conveyance have you for me?"

"There," said one, pointing to a horse, "is the animal you must ride."

The prisoner put on his hat and overcoat, and mounted the horse. Just as he was about to seize the reins, a Vigilante took them from his hands, saying, with affected suavity, —

"If you please, I'll manage these for you. You've only to sit still and ride."

After the company started, the robber cast a suspicious glance behind him, and saw one man following on foot. His countenance fell. The expression told, in stronger language than words, that the thought which harassed him was that he would not be taken to Virginia City. About two miles distant from the cabin, the company drew up and dismounted under a solitary tree. Scraping away the snow, they kindled a fire, and prepared their breakfast; of which the robber partook with them, and seemed to forget his fears, and laughed and joked as if no danger were nigh. Breakfast over, the Vigilantes held a brief consultation as to the disposition which should be made of their prisoner. On putting the question to vote, it was decided by the votes of all but the person who had signified to Hunter that he was to be taken to Virginia City, that his execution should take place instantly.

The condemned wretch turned deadly pale, and in a faint voice asked for water. One of the Vigilantes related to him the crimes of which he had been guilty.

"Of course," said he, "you know that offences of this magnitude, in all civilized countries, are punished with death. The necessity for a rigid enforcement of this penalty, in a country which

has no judiciary, is greater even than in one where these crimes are tried by courts of law. There is no escape for you. We are sorry that you have incurred this penalty, — sorry for you, but the blame is wholly yours."

Hunter made no reply to the justice in his case, but requested that his friends should not be informed of the manner of his death.

"I have," said he, "no property to pay the expense of a funeral, and my burial even must depend upon your charity. I hope you will give me a decent one."

"Every reasonable request shall be granted, Bill," said the Vigilante; "but you know the ground is too hard for us to attempt your interment without proper implements. We will inform your friends of your execution, and they will attend to your burial."

While this conversation was going on, some of the Vigilantes had prepared the noose, and passed the rope over a limb of the tree. The criminal shook hands with all, tearfully bidding each "good-by." After the rope was adjusted, several of the men took hold of it, and at a given signal, by a rapid pull, ran the prisoner up so suddenly that he died without apparent suffering; yet, strange to say, he reached as if for his pistol,

and pantomimically cocked and discharged it six times. The "ruling passion was strong in death." Leaving the corpse suspended from the tree, the Vigilantes, now that their work was done, hurried homeward at a rapid pace.

Hunter was the last of Plummer's band that fell into the hands of the Vigilantes. The man was not destitute of redeeming qualities. He often worked hard in the mines for the money he lost at the gaming-table, but in an evil hour he joined Plummer's gang, and aided in the commission of many infamous crimes. In his personal intercourse he was known to perform many kind acts. He admitted, just before his death, the justice of his sentence. It is believed that in his escape through the pickets at Virginia City he was assisted by some of the Vigilantes, who did not credit his guilt.

The death of Hunter marked the bloody close of the reign of Plummer's band. He was the last of that terrible organization to fall a victim to Vigilante justice. The retribution, almost Draconic in severity, administered to these daring freebooters had in no respect exceeded the demands of absolute justice. If the many acts I have narrated of their villanies were not sufficient to justify the extreme course pursued in their ex-

termination, surely the unrevealed history, greater in enormity, and stained with the blood of a hundred or more additional victims, must remove all prejudices from the public mind against the voluntary tribunal of the Vigilantes. There was no other remedy. Practically, they had no law, but, if law had existed, it could not have afforded adequate redress. This was proven by the feeling of security consequent upon the destruction of the band. When the robbers were dead the people felt safe, not for themselves alone, but for their pursuits and their property. They could travel without fear. They had a reasonable assurance of safety in the transmission of money to the States, and in the arrival of property over the unguarded route from Salt Lake. The crack of pistols had ceased, and they could walk the streets without constant exposure to danger. There was an omnipresent spirit of protection, akin to that omnipresent spirit of law which pervaded older civilized communities. Men of criminal instincts were cowed before the majesty of an outraged people's wrath, and the very thought of crime became a terror to them. Young men who had learned to believe that the roughs were destined to rule, and who, under the influence of that guilty faith, were fast drifting into crime, shrunk appalled before

the thorough work of the Vigilantes. Fear, more potent than conscience, forced even the worst of men to observe the requirements of civilized society, and a feeling of comparative security among all classes was the result.

But the work was not all done. A few reckless spirits remained, who, when the excitement was over, forgot the lesson it taught, and returned to their old vocation. The Vigilantes preserved their organization, and, as we shall see in the subsequent pages of this history, meted out the sternest justice to all capital offenders.

This portion of my history would be incomplete did I omit to mention that Smith and Thurmond, the lawyers who had on several prominent occasions defended the bloodiest of the roughs, were both banished. The former of these was a man of remarkable ability in his profession, and of correct and generous impulses. To a clear, logical mind, and thorough knowledge of his profession, he added fine powers as an orator; and it was these qualities, more than any sympathy he indulged for his clients, that rendered him obnoxious to public censure and suspicion. After an exile of two years he returned to the Territory, resumed the practice of law, which he followed with success for several years and until his death,

which occurred in Helena in 1870, and was greatly lamented by all who knew him.

Thurmond came from the "west side," with a reputation for being a friend of the roughs, — one not in complicity with them, but upon whom they could always depend for assistance in case of difficulty. After his banishment he went to Salt Lake City, where he associated himself with the Danites, or Destroying Angels of the Mormon church, whom he tried to induce to follow his leadership in an active crusade against all the members of the Montana Vigilance Committee who might pass through Utah on their way to the States. Failing in this, he afterwards removed to Dallas, Texas, where he became involved in a quarrel with a noted desperado, by whom he was shot and instantly killed.

The administration of justice, and the peace and safety of the people, demanded the banishment of both these men, though many of worse character and more criminal nature but of less influence were permitted to remain.

CHAPTER XVI.

THE STRANGER'S STORY.

PREPARATIONS FOR A HOME — DISASTERS — DISAPPOINTMENTS — HERMIT LIFE — BOONE HELM — HIS DEPARTURE — A STRANGE VISITANT — ROMANTIC HISTORY — RETURN OF HELM AND TWO COMPANIONS — HIS MURDEROUS DESIGNS THWARTED — RETURN TO CIVILIZATION — MEETING WITH BENEFACTRESS.

LATE in the fall of 1872, I spent a few days in Salt Lake City. One evening at the Townsend House, while conversing with Governor Woods and a few friends upon the events which had led to the organization of the Montana Vigilantes, I mentioned the name of Boone Helm.

"Boone Helm! I knew him well," was the abrupt exclamation of a stranger seated near, who had been quietly listening to our conversation. We were no less attracted by the singular appearance of the speaker, than the suddenness of the remark. Tall, slender, ungainly, awkward in manner, he yet possessed a pleasing, intellectual countenance, and a certain magnetism, which

begat an instantaneous desire in all to hear his history.

"Excuse me, gentlemen," said he, drawing his chair nearer our circle, "for obtruding myself, but the mere utterance of the name of Boone Helm brings to memory the most thrilling episode of my life's history."

Assuring him that no apology was necessary, and that the recital of adventures was the order of the evening, we all united in the request that he should favor us with his narration.

"It's quite a long story," he resumed, lighting his meerschaum, "and you may tire of it before I close. Our individual experiences seldom interest listeners, but the subject of your conversation at this time affords a good place to slip in this single feature of a life not entirely void of adventure; and I hope it will not detract from the entertainment of the evening. Truth obliges me to be the hero of my own tale."

Drawing his chair into the centre of our circle, he began, —

"I went to Oregon a mere boy, and grew to manhood there. My early education was neglected for want of opportunity, there being no schools in the country. I mention this to account for a fact which will become apparent hereafter. Our neigh-

bors, in the dialect of the country, thought me a little 'luny,' and predicted for me an unhappy future. I certainly was eccentric, and when I recall many acts of my early life, I do not blame them for harshness of judgment.

"As I approached manhood, no text of the sacred volume exercised me more than that which declares it is not good for man to be alone. I set to work to make preparations for domestic life. I entered a quarter section of land, built a house, ploughed fields, planted an orchard, cultivated a garden, which I laid out with walks, adorning them with the choicest shrubs and flowers. My grounds and dwelling were as neat and comfortable as the resources of a new country would permit. I stocked my farm with horses, cattle, sheep, and chickens — in brief, I lacked none of the essentials to a happy farm life.

"I had selected the fair one who was to share with me life's joys and sorrows, and obtained her promise to marry the following autumn. The world before me was roseate with beauty and happiness. My feelings were buoyant, unmingled with a single thought of disappointment or failure in the plans I had made. But alas! in a few brief months all this dream was wretchedly dispelled. I learned the lesson taught in those simple words,

'Man proposes, but God disposes.' When the products of my fields were teeming with their highest life, and the flowers and shrubs in my garden were blooming in their greatest beauty, and the sun shone brightest, and the birds sang sweetest, an angry cloud appeared, filled with myriads of those winged pests that have so often swept from the soil all the hopes and treasures of the husbandman. The destruction of the fields of Egypt under the curse of locusts was not more complete than that of the field and garden which, a few hours before, had been my greatest pride. They were thoroughly denuded — field, garden, yard, even the stately trees around my dwelling — all were naked, shaven, brown, and barren. A more perfect blight could not be conceived. My heart for the moment sank within me.

"But, being naturally of a hopeful disposition, I remembered that flocks and herds were still left, and I determined to look at the disaster with a strong heart, and try by renewed exertion to regain what had been lost. Alas! troubles never come singly. I was obliged to postpone my marriage indefinitely. The coldest winter and heaviest snows ever known before or since in that country brought starvation to all my cattle, horses, pigs, and chickens, and when spring came I had noth-

ing left but my dwelling. I became despondent, sulky, indifferent. My father, who dwelt in another part of the country, was wealthy. Generously sympathizing in my misfortunes, he offered to give me a fresh start, with three hundred head of cattle and the necessaries of life. I accepted, and determined to plunge deeper into the wilds, away from civilization, and begin life anew, thinking to avenge myself upon the disappointments of the past by a solitary life, with nature and books as a solace.

"I bought a well-selected assortment of educational volumes, ranging from a spelling-book to the Latin and Greek classics, and from Ray's Arithmetic to the higher branches of mathematics, and, employing three reliable men to drive the herd, picked my way over mountains and rivers to the Rogue River valley, a region then destitute of settlers, but the principal hunting-ground and home of the fiercest and most warlike tribe of Indians on the Pacific coast. Their hostility to the whites then, and for many years afterwards, was bloodthirsty and unappeasable. But I was accustomed to frontier life, familiar with the country, and did not fear the Indians. The valley was full of game, and they would not kill my stock. My life, which they would destroy on the first op-

portunity, I determined to look out for as best I might; besides, there was an indescribable charm in the idea of such exposure as required a constant exercise of all the faculties. A man shows for all he is worth in a country filled with hostile Indians. He makes no mistakes there, and learns the value of gun, pistol, and hunting-knife.

"I selected a place thirty-six miles west of the old California trail, under the shadow of the Coast range of mountains, in one of the most charming of valleys. The only evidence that it had ever been visited by a human being was a small Indian trail near by, which led from the base of Siskiyou mountain to the ocean, near the mouth of Coquillas river. I turned my cattle upon the fine range of native grass which covered both hill and valley in all directions, and, with the aid of the herdsmen, built a log cabin, stockading a half-acre, enclosing it with poles fifteen feet high. My armory consisted of one rifle, fifteen United States yagers, one double-barrelled shot-gun, a pair of Colt's revolvers, and a large supply of ammunition. Feeling that I was now prepared to defend myself against the Indians, I dismissed the men, who returned to the settlements, and began the life of solitude.

"In the early days of this experience, I confess I

sometimes cast longing thoughts back to the relations and friends I had forsaken, and wished I had been less precipitate in my choice of a mode of life. Then the past would come up, with its commencement of promise and happiness, and its close of disappointment and gloom. I called philosophy to my aid, and strove to forget, in my studies, which I engaged in with energy, all my former joys and griefs.

"Familiarity with my condition wore away all regrets, and I soon learned to love my exile, and to regard it as the most instructive and least harmful portion of my life. To avoid too great monotony, I occasionally spent a day in hunting or fishing, or looking after my herd; but the proficiency I made in study was my greatest source of encouragement and happiness.

"Month after month imperceptibly glided away, except as each was marked by some increase in knowledge, and some additions to my cattle. I felt resigned to an isolation which cast me off from all communion with the world and all knowledge of its transactions. Indians would occasionally appear, but they knew my means of defence, and never disturbed me. Their attacks upon armed men, like those made upon the grizzly or mountain lion, are only ventured when safe, and

always with strategy. Sometimes, when I saw them passing, I longed for a tussle with them as a change of occupation, but they never gave me the opportunity.

"One day, wearied with a problem in Euclid, I shouldered my rifle, and strolled into the adjacent forest in quest of a deer. A rustle in the undergrowth attracted my attention. Supposing it to be caused by some animal, I peered cautiously in the direction from within the shadow of a pine, and saw, to my surprise, a man half concealed in a thicket, watching me. It was the work of an instant to bring my rifle to an aim.

"'Who are you?' I demanded, knowing if he were a white man he would answer.

"He replied in unmistakable English, 'I am a white man in distress.'

"Dropping my rifle on my shoulder, I hastened to him, and found a shrunken, emaciated form, half naked, and nearly famished. A more pitiable object I never beheld.

"'My name,' said he, 'is Boone Helm. I am the only survivor of a company which, together with the crew and vessel, were lost on the coast ten days ago. We were bound for Portland from San Francisco, and were driven ashore in a storm. I escaped by a miracle, and have wandered in the

mountains ever since, feeding on berries, and sleeping under the shelter of rocks and bushes. I came in this direction, hoping to strike the California trail, and fall in with a pack train.'

"He gave me a circumstantial account of his shipwreck and wanderings, which interested me very much. My sympathies were enlisted, and I conducted him to my home, sharing 'bed and board' with him for a month or more. He recruited in strength rapidly. I found him genial and intelligent, though uneducated. He was an agreeable talker, and told a story with an enchanting interest. By shreds and patches he disclosed much of his personal history, occasionally dropping a word or expression which led me to believe he had been a great criminal, and more than once imbrued his hands in the blood of his fellow-man. He remained with me for a month or more, long enough to make the prospect of separation painful, though I felt that I would be better off without than with him. When he left, I gave him a good buckskin suit, a cap, a pair of moccasins, and a gun. He wrung my hand at departure, expressing the warmest gratitude.

"For a while I was very lonely, and found my studies irksome; but, as time flew on, I fell naturally into my old round of employment, and

solitude became sweeter than ever. Another year came and went, during which I labored diligently at my books. I was proud of my acquirements. I had mastered Arithmetic, Algebra, and Geometry, and read Latin and Greek with facility. My herds had greatly increased. I could drive them to Yreka and sell them for a small fortune, a measure I had determined upon for the following summer. Except when I went to fish or hunt, or look after my cattle, I never left my home. It was my custom, during the warm days of summer, to spread my blanket, and lie down in the shade of the stockade; and, with guns and pistols in reach, pursue my studies.

"One day while thus extended, reading a thrilling passage in the Æneid, I was startled by the distant clatter of a rapidly approaching horse. Seizing my rifle, I sprang to an opening, to reconnoitre for Indians. I could see nothing, — the noise had ceased, and I resumed reading; but in a moment I heard the hoof-beat more distinctly, and applied myself again to the crevice. Judge of my astonishment, to behold at no great distance a woman well mounted, urging her steed rapidly towards my stockade, along the Indian trail. There was something so unreal in the thought that a woman should traverse this wilderness

alone, I could not for a moment believe my senses. But there she was, coming at rapid rate, and, to all appearance, a very beautiful woman too. She rode along with the air of a queen; her riding-habit fitted closely to a magnificent bust, and fell in graceful folds over the flanks of her horse, which, though jaded with travel, seemed proud of his burden. Assisting her to alight, I invited her to a seat upon a box, spread with my blankets. It was the work of a moment to secure her horse, and hasten to her to learn the import of her wild errand.

"I need not say that my conduct on this occasion bordered somewhat upon the romantic. Indeed, how else than after the fashion of a cavalier or knight of eld could I, under the circumstances, approach a strange and beautiful lady, who had voluntarily, and without premonition on my part, placed herself so completely at my disposal? I felt all the delicacy of the situation, for I discovered at a glance that she was high of spirit, refined, and intelligent.

"'Tell me,' I inquired, 'where you came from, and why you are here. It must be a mission of more than ordinary purport that has caused you to brave the perils of a journey through this wild, unfrequented region.'

"Seemingly for the purpose of putting my curiosity to the rack, she evaded my question, and talked about the beauty of the scenery, the desolation of my home, and finally, picking up my books one after the other, she commenced scanning and rendering the liquid hexameters of Virgil with the grace and ease of an accomplished professor. Provoking as this caprice was, there was a charm about it, which led me soon to adopt the same playful humor.

"'It cannot be,' I said laughingly, 'that you have come here to marry me.'

"'No, indeed,' she replied, blushing and smiling at the same time. 'I need not have run so great a risk, if marriage had been my object.'

"'Well, then,' I rejoined, 'Madam or Miss, angel or spirit, or whatever you are, for the love of Heaven relieve me from this suspense, and tell me what brought you to my desolate cabin.'

"The earnest tone in which I asked the question elicited a serious reply.

"'I was born and reared in Boston, the only child of highly educated parents. My father was a merchant of wealth and position. I never knew a want unsupplied or a pleasure ungratified, that parental love could bestow in my childhood days. At school, I learned rapidly, outstripping

my classmates, and receiving encomiums from my teacher. I was sent to a seminary, and graduated with signal honor. Exhibiting an early taste for music, vocal and instrumental, after my classical course was completed, I was placed under the instruction of the best professors. Just at this time, my father failed because of the misconduct of his partner, and was utterly ruined. Everything, even to the old homestead, was swept away by his creditors. My father, wounded in spirit and feeble in health, sunk under the blow, and died in a few months.

"'Never shall I forget the look of utter despair on the face of my dear mother, when we consigned my father to his last resting-place. It seemed as if her fountain of tears was exhausted, and her heart would break. She threw herself into my arms like a child, and looked up to me for counsel and protection. I, in turn, almost sinking beneath the care thus early cast upon me, looked up to the Great Father for aid, and became strong.

"'The California gold excitement had just reached the Atlantic coast. People everywhere were wild. I partook of the infatuation, and then determined to seek my fortune in that far-off land. My friends tried to dissuade me, but my purpose was fixed. Placing my mother in charge

of a kind relative, where I knew she would be cared for, I sold my jewelry for money to meet the expenses of the journey, and sailed by way of the Isthmus, for San Francisco, where I arrived early in the summer of 1850.

"'There were but four American ladies in California when I arrived. I found myself alone, a stranger in a strange land; but, with courageous heart, pure purpose, judgment matured by experience, and a firm trust in God, I had no fears for success. I soon became familiar with the marvellous richness of the mines, the solitary life and many wants of the miners. My opportunity was apparent. Purchasing a small assortment of stationery, consisting chiefly of pens, ink, paper, envelopes, and postage stamps, I visited the various mining camps, selling my wares to the miners, writing letters for many whose hands were so stiffened that they could not guide a pen, and singing the simple ballads I had learned in the days of prosperity. They paid me generously, often an hundred-fold the value of their purchase. I was everywhere received and treated with a respect akin to idolatry, regarded, indeed, as a being almost supernatural. These noble-hearted men, remembering beloved ones they had left in the States, were so respectful, so kind, so attentive,

it seemed that they could not do enough for me. Commencing thus, afar up in the Sierras, near Hangtown (Placerville), I visited all the mining regions, until I arrived at Yreka, a new camp, just then creating the wildest excitement.

"'I had now money enough to carry out the design nearest my heart, of going East, and returning with my mother to live at San Francisco. While at Yreka, I put up at the principal hotel, a half-finished house, with rooms separated by light board partitions, and crowded with the varieties of a thriving mining town.

"'One evening, after a day of more fatiguing labor than usual, I retired early, but could not sleep. While tossing upon the pillow, I heard two men enter the adjoining room, and engage in earnest conversation. I could hear distinctly every word they uttered, and the subject they were discussing very soon riveted my attention. They were planning a murder and robbery. In the midst of their conversation, another man entered, whom they saluted by the name of Boone Helm. He seemed to be their leader, for he proceeded at once to describe the home and surroundings of the intended victim, said he had been there and shared his hospitality for several weeks; spoke of the road leading there, the trail from the road to

the house, and the distance of the large herd of cattle, and the ready sale for them at Yreka.

"'"We cannot," said he, "make more money in a shorter time, with greater ease, and less liability to detection, than to go there and dispose of the man and take his property."

"'They finally agreed that at a certain time the three should go in company, and execute their murderous design. I immediately determined to foil them in their bloody purpose, or lose my life in the attempt. I could not sleep; indeed, so nervously anxious was I to start on my errand of mercy, that I could hardly await the approach of morning. I arose early, made immediate preparation for departure, and before noon was in the saddle and on my way. I had no fear of Indians, simply because I believed God would take care of one engaged on a mission so pure and holy. I have ridden more than two hundred miles to warn you of your danger. Be on your guard. Make every preparation to defend yourself, for, as sure as the time comes, the men will be here to take your life. And now,' she concluded, 'bring my horse, and I will start on my return.'

"Language was inadequate to express my gratitude, or the admiration with which I regarded this

noble act of humanity. I begged and insisted that my benefactress should remain, at least long enough for rest, but she refused. I then told her my own history, prepared a hasty meal, and asked her to favor me with a song. In the sweetest voice I thought I ever heard, she sung the Hunters' Chorus in 'Der Freyschutz:' then, springing to the saddle, she waved me a farewell, and in a few moments disappeared. So sudden had been her appearance and disappearance, so startling the warning she gave me, so wonderful her long and dreary ride, that it all seemed like a dream. I had never made a habit of prayer, but, influenced by the emotion of the moment, I dropped on my knees, and thanked God, in a fervent prayer, for this special manifestation of his Providence.

"The next day I made every needful preparation for defence, and calmly awaited the arrival of the ruffians. In the afternoon of the day my informant mentioned I saw them approaching, one, whom I recognized as Helm, half a mile or more in advance of the other two. I stood in the gate of my stockade, with my revolver in my belt, and as he approached me greeted him kindly, bade him enter, and closed and bolted the door behind him. As this had always been my custom, he did not notice it. I saw at once, by his subdued,

churlish manner, and his crabbed style of address, that he was bent upon mischief. Hardly waiting for an exchange of common civilities, he said, —

"'Lend me your pistols. I am going on a perilous expedition.'

"'I cannot spare them,' I replied.

"'But you must spare them. I want them.'

"'I tell you, I cannot let you have them.'

"Flying into a passion, he with bitter oaths rejoined, —

"'I'll make you give 'em to me, or I'll kill you,' at the same time grasping his revolver.

"Before he could pull it from its scabbard, I had mine levelled with deadly aim at his head, and my finger on the trigger.

"'Make a single motion,' said I emphatically, 'and I will shoot you.'

"He quailed, for he saw I had the advantage of him. His comrades now approached the gate from without.

"'Break down the door,' he shouted, and, adding an opprobrious epithet, ordered them to kill me.

"Still holding my pistol level with his temple, I replied sternly, —

"'If they attempt such a movement, I will kill you instantly.'

"He knew me to be desperately in earnest, and, taking the hint, told them to go away. They obeyed.

"'Now, sir,' I persisted, still holding him under fire, 'unbuckle and drop your belt, pistol, and knife, and walk from there, so that I can get them.'

"He begged, but I was inexorable. He tried to throw me off my guard by referring pleasantly to our former acquaintance, and assuring me he was only jesting, and would not harm me for the world. I told him I had been warned of his coming and its object, and detailed with some particularity the conversation he had with his companions at the time they agreed upon the expedition. He stoutly denied it, and demanded the source of my information. Knowing that he was ignorantly superstitious, I gave him to understand that it was entirely providential. For a moment he seemed dumfounded, and, hardened as he was in crime, showed by his action that he believed it. I made him sit down, and kept him in range of my revolver all night, conversing with him, meantime, on such subjects as were best calculated to win his confidence. The night seemed a year in duration, but he told me his entire history — his birth, the errors of his early manhood, his first

and only love, the illness and death of his betrothed, his resolution to lead a criminal life, his murder of Shoot, his escape, and many other murders that he afterwards committed, and of his intention to murder me and dispose of my cattle. I never heard or read a more horrible history than that narrated by this man of blood. He lost no opportunity to throw me off my guard, but I knew too well what would be the result. He was my prisoner, under absolute control, as long as his life was in my power.

"Morning came. Helm's companions were still lingering near the stockade. I ordered them to withdraw a certain distance, that I might with safety release my prisoner. I then opened the gate, and with my double-barrelled shot-gun levelled upon him, bade him go, assuring him that if we ever met again I would shoot him on sight. He marched out and away with his comrades. The next intelligence I received concerning him was the announcement of his execution by the righteous Vigilantes of Montana in 1854.

"I beg pardon, gentlemen, for detaining you so long. My story is done."

After a moment's silence one of our circle, a nervous, excitable young man, remarked, —

"We cannot consider the story completed until

we know something more of the young lady. She is really the object of the most interest."

"Well, gentlemen," he resumed, "since you desire it, I will tell you all I know. Soon after Helm's departure, influenced by a desire to have the address of and see once more my benefactress, I drove my herd to Yreka, and sold it for a handsome sum. While there I searched diligently, but in vain, for my heroine. She had gone, and, as she had refused to give me her name, I found inquiry for her impracticable. I went to San Francisco, but no one could give me the least trace of her, and, after repeated disappointments, I gave up the search and returned to Oregon.

"Five years thereafter, business took me to Portland. While seated by the office stove, in conversation with some old friends, the clerk came and whispered that a young lady in the parlor wished to see me. Wondering who she could be, I hastened to the room, and there sat my friend of the wilderness. She gave me a cordial greeting, and to my numerous and eager inquiries, informed me in substance that soon after she left me and returned to Yreka, she went to Boston. After a year spent among old friends, she came back to San Francisco, accompanied by her mother. She purchased

a neat residence there, and it was now her home. She had arrived in Oregon with some friends the day before on a pleasure excursion, but intended to return in a few days. We had a pleasant interview, and I bade her good-by."

"So you did not marry her, after all," was the eager remark of our young friend.

"No, gentlemen. Had I not been fortunately married some time before our last meeting, I cannot tell what might have happened; but as it was, I did not marry her after all, as you say."

CHAPTER XVII.

WHITE AND DORSETT.

PROSPECTING ON THE BIG BOULDER — JOHN WHITE AND RUDOLPH DORSETT — THEY FIND ONE KELLEY IN DISTRESS — ALL RETURN TO VIRGINIA CITY — PREPARATIONS FOR RETURNING TO THE BOULDER — KELLEY DELAYED — THE STOLEN MULE — DEPARTURE OF DORSETT — ANXIETY FOR HIS SAFETY — MEETING OF KELLEY BY A STRANGER — THOMPSON AND RUMSEY SET OUT IN SEARCH OF DORSETT AND WHITE — DISCOVERY OF THEIR BODIES — PURSUIT OF KELLEY — HE FLEES TO PORTLAND, ORE., THENCE TO SAN FRANCISCO — THOMPSON FOILED — KELLEY RETURNS TO PORTLAND — IN PORT NEUF CANON ROBBERY.

THE attachments formed between men, where the privileges and enjoyments of social life are confined to the monotonous round of a mining camp, are necessarily strong. The surroundings, which dictate great prudence in the choice of friends, where confidence is once established, are continually strengthening the ties that bind men to each other. Self-preservation and self-interest will furnish apologies for incompatibilities of tem-

per in the mountains, which would sever friendships formed in less exposed communities. The sterling qualities of truth, honor, integrity, and kindness are sooner ascertained and more highly prized among miners than any other class. We have seen the operation of these principles in the instance of Beachy and Magruder, a very strong but not an exceptional case; this is another narrative of similar import.

Rudolph Dorsett arrived at Bannack with a party of miners from Colorado, in April, 1863. During the following summer, he, in company with John White, the discoverer of the Bannack mines, and a few others, left for the interior on a prospecting tour. The winter of 1863–64 found the little party near the head of Big Boulder creek, where they had made some promising discoveries. Being nearly out of provisions, White and Dorsett started on horseback for Deer Lodge, to obtain a fresh supply. At the head of Boulder, they came upon one Kelley and a comrade, who had made a camp there, and been detained several days by deep snows. They were literally "snowed in;" and, their food being exhausted, they had killed and were feeding upon one of their horses.

After supplying their immediate wants, White

and Dorsett, discouraged by the gathering snows from any further effort to cross the main ridge, changed their course, and, taking the two men with them, started for Virginia City, where they arrived after three days of perilous travel. Kelley and his partner were entirely destitute. Their kind benefactors made known their condition to Henry Thompson and William Rumsey, and they paid their bills at a restaurant the two days succeeding their arrival; and other citizens of Virginia City, at Dorsett's solicitation, provided them with clothing. An arrangement was made for Kelley and his comrade to return with White and Dorsett to their camp; but, when the time came to leave, Kelley said that he had been promised a horse the next day, which he would get and overtake them. The three men departed without him, and, after a cold ride of several days, found their party camped on the upper water of Prickly Pear creek. They were all in excellent spirits, and supposed they had found a very prolific placer. Dorsett, true to the confidence reposed in him by his friends, Thompson and Rumsey, returned immediately to Virginia City, to apprise them of his good fortune, so that they might improve the earliest indications of a stampede, and secure a good interest in the placer mine. This is one of

the rigid requirements of friendship in a mining region. No matter how distant the discovery may be, nor how difficult the journey, when a mine is found of any value, it is the duty of the discoverer, before disclosing it to the public, to notify his friends, that they may make sure of the best location. Indeed, in the early days of Montana, there were hundreds of old miners, experts in the business of prospecting, who, being unable to purchase "grub," were fully supplied with horses, food, and tools, upon the distinct understanding that they were to share with those who "outfitted" them in all their discoveries. Woe to the man who was base enough to violate this agreement! If he escaped lynching he never failed being driven from the country by the hisses and execrations of every "honest miner" in it. A scorpion whip was held

> "By every honest hand,
> To lash the rascal naked through the land."

During the night following the departure of White, Dorsett, and Kelley's partner from Virginia City, a mule belonging to William Hunt, and a horse owned by another citizen of Virginia City, were stolen. Dorsett was informed of this on his return, and, not having seen Kelley since his prom-

ise to overtake his party, he at once suspected him of the theft. The mule was a very fine animal, which Hunt had purchased of Dorsett in Colorado.

"If I find him," said Dorsett, as he mounted his horse to return to the mine, "I will recover and send him back to you."

The second day after this promise was made, while crossing the divide between White Tail and Boulder, Dorsett met Kelley in possession of the stolen animals. After a brief conversation, Dorsett asked, —

"Where did you get that fine mule, Kelley?"

"The man at Nevada, who promised me the horse I told you about, could not find him, and gave me the mule instead."

Not wishing to arouse Kelley's suspicion, Dorsett asked no more questions, but, with a friendly "good-by," rode on as rapidly as possible to his camp. He was informed that Kelley had been there, and had told the miners that some friend in Deer Lodge had sent him a written offer to furnish provisions and a good outfit for prospecting. He was going there immediately to accept it, and had bought both horse and mule for that purpose. When they were informed that the animals were stolen, White agreed to join Dorsett, and they started immediately in pursuit

of the thief, thus furnishing another instance of the strength of that friendship which neither the freezing weather and mountain snows, nor long days of travel and long nights of exposure, could overcome. The single thought of serving a friend put to flight every consideration of personal comfort or convenience. They did not expect to be absent longer than three days at the most.

A week passed and nothing was heard from them. Dorsett had promised Thompson and Rumsey, when he left, that he would return to Virginia City in five or six days. Ten days expired without bringing any intelligence. Rumsey's fears were aroused for the safety of his friends. Being at Nevada on business, he mentioned incidentally this strange disappearance, and Stephen Holmes, a bystander, observed that, four days before, while at Deer Lodge, he had met Kelley with Dorsett's horse, revolver, Henry rifle, and cantinas, and that Kelley had told him he traded for them with a man at Boulder. With characteristic promptness, Rumsey replied to Holmes, —

"The men have been murdered by the scoundrel, and he is fleeing with their property."

To think, with such men as Thompson and Rumsey, was to act. No time was to be lost. Thoroughly equipped for a long pursuit, Thomp-

son and a friend named Coburn started immediately upon the track of Kelley, and at the same time James Dorsett, brother of Rudolph, organized a party with which he went as rapidly as possible to the Boulder, in search of the missing men. This little party passed the first night at Coppock's ranche on the Jefferson. The next day, while passing through a hollow on the Boulder range, called Basin, they found tracks diverging from the road in the direction of White Tail Deer creek. They followed that stream nearly to the forks, when suddenly they saw, some distance before them, two men emerge from the thin forest of pines. They spurred their horses into a sharp run. The men turned at the sound and raised their guns, and stood upon the defensive. The approaching party, rifles in hand, drew nearer, and a conflict at long range seemed inevitable. Fortunately, at this moment, one of the two men recognized James Dorsett, and dropped his gun, and with friendly gestures rode toward him. Offensive demonstrations were soon followed by hearty greetings. The two men proved to be John Heffner and a comrade, who had just been searching in the willows for a suitable camping-ground for the night.

"I have found," said he, in a mournful tone,

"what you are searching for. Rudolph Dorsett and John White have both been murdered, and their bodies are in the willows."

"My God!" exclaimed James, "my brother murdered!" and, bursting into tears, he followed Heffner into the clump.

"I came in here," said Heffner, "to pick up some wood for a camp-fire. This heap of coals and burned sticks attracted my attention. Thinks I, there's been campers here before. I looked around and caught a glance at the saddle. It startled me, for it seemed a very good one, and I thought it strange that any one would leave it here. I examined it narrowly, and, lifting it up, I beheld the dead face of John White. You may well believe I was frightened. On turning to call my partner, I almost stumbled over the corpse of your brother, which was covered with an overcoat. We had just completed our survey of the camp, and stepped out of the bushes to look up another camping-place, when we heard your horses."

On a close examination of the spot, appearances indicated that White and Dorsett, with Kelley as a prisoner, had arrived there either at a late hour, or without any provisions, as there was no evidence of cooking. They had tied their prisoner with twisted strips of blanket, pieces of

which were found near, and, as they doubtless supposed, secured him for the night. A few fagots had been heaped up for a morning fire; and the theory of the murder advanced by the searching party was that, while White was on his knees kindling the fire, Kelley freed himself from his bonds, picked up White's revolver, and shot him twice in the back of the neck; then seizing his rifle, turned and shot Dorsett, who was gathering wood a little distance away, through the heart. An armful of wood lay scattered where he had fallen. His skull was beaten in pieces, a boulder lying near, bespattered with blood and brains, bearing gloomy testimony to the manner in which it was done. After this his body had been dragged some twenty steps from the spot where he fell, and stripped of its clothing, which the murderer had taken away with him, and wore the day that Holmes met him at Deer Lodge. White's body had also been removed, and the saddle placed over the face. The bodies were taken to Coppock's ranche, and thence to Virginia City for burial.

This was one of the earliest and most brutal tragedies in the newly discovered gold regions; and, happening when they were populated mostly by Eastern people, and before Plummer and his

band of ruffians had been arrested in their grand scheme of wholesale slaughter, it produced a profound sensation throughout the country. The desire to capture and make a public example of the ruffian who had committed the shocking crime was universal. All eyes were turned to the pursuit of Kelley by Thompson and Coburn, and all ears open to catch the first tidings of its success. These men were beyond the reach of information of the discovery of the bodies at the time it was made, but they had found evidence by the way, which convinced them that their friends had been assassinated. At Deer Lodge a pistol which Kelley had sold was identified by Thompson as the property of Dorsett, and his initials, R. R. D., were graven on the handle. They pushed the pursuit to Hell Gate, procuring two relays in Deer Lodge valley. Finding that the deep snows rendered the Cœur D'Alene mountains impassable, they turned back to take the route into Oregon, by Jocko and Pend d'Oreille lakes. Between Frenchtown and Hell Gate they met an Indian with Dorsett's saddle, which Thompson took from him. Forty miles below Jocko, they reclaimed the horse from a little band of Indians who had traded for it with Kelley. Proceeding on towards the Pacific, they met a company of miners, who had

met Kelley fifteen days before, on his way to Lewiston.

The men pursued their journey, following the devious windings of Clarke's Fork to its junction with the Snake river, and thence on to Lewiston, — a tract of country at that time more disastrous for winter travel than perhaps any other equal portion of the continent. There were no roads, and the solitary Indian trail leading over the mountains, through cañons, and across large rivers, for much of the distance was obscured by snow, and in many places difficult and dangerous of passage. Had their object been anything less than to avenge the death of their friend, they would have turned back, and consoled themselves with the reflection that it was not worth the risk and exposure needful to win it; but, with that in view, they welcomed privation and danger while a single hope remained of its accomplishment.

At Lewiston, Coburn remained on the lookout, while Thompson continued the pursuit farther west. At the hotel in Walla Walla, Thompson found Kelley's name upon the register. He learned, on inquiring of the clerk, that he had told him he came from the Beaverhead mines. The barber who shaved him, remembered him, because he paid him an extra price for the service. Kelley

had purchased a new suit of clothes, of which Thompson procured a sample. With these clews Thompson hastened to Portland, and ascertained that Kelley had spent nine days there, and left by steamer for San Francisco. In fact, on the day that Thompson arrived at Portland, Kelley entered the harbor of San Francisco. Thompson telegraphed the chief of police to arrest and detain him until he arrived. He had taken the precaution to obtain requisitions from the Governor of Idaho on the Governors of Oregon, California, and Washington, and a commission as special deputy United States marshal.

Chief Burke, on receipt of the telegram, called at the hotel where Kelley had taken quarters, and, not finding him, gave no further attention to the matter. Learning on his return that he had been inquired after, Kelley, suspicious of the object, left the city at once, taking with him an overcoat and pistol belonging to a fellow boarder. Thompson found, on his arrival at San Francisco, that the bird had flown, but in what direction he was unable to ascertain. After spending some time in fruitless inquiry, he returned home with nothing better than his labor for his pains. It was a sore disappointment, but none the less demonstrative as an illustration of personal devotion and attachment.

Kelley returned to Portland, and soon disappeared from public view. Thompson was constantly on the lookout for him, and in 1864 heard of him as a participant in a robbery committed in Port Neuf cañon. It was ascertained that after the robbery Kelley went to Denver, where he was known by the name of Childs. He remained there several months. Thompson heard of his being there, and sent a man to identify him. Kelley took the alarm, and left immediately by the Oregon route for Mexico. Thompson wrote to a friend in Prescott to arrest him *en route*, but the letter arrived too late, as the rascal had passed through the town several days before. If living, he is still at large; but there is no corner of the globe where Thompson would not follow him, were he certain that the journey would effect his arrest.

CHAPTER XVIII.

LANGFORD PEEL.

Suffering in Kansas in the Winter of 1856 — Peel's Kindness to Conley and Rucker — Their Ingratitude — Peel's Destitution — Robinson's Generosity — Death of Rucker — Peel wounded — Threatened with Death — Escapes to California — Downward Career — Arrives at Carson City — Prize Fight and Death of Muchacho — Peel fights Dick Paddock — Kills El Dorado Johnny in a Fight — Principles of the Roughs — Peel suffers Lannan to arrest him — Character of Nevada Roughs — Fight between Barnhardt and Peasley — Both killed — Character of Peasley — Peel leaves Nevada — Goes to Salt Lake, and thence to Helena — Quarrel with John Bull — Is killed by him — Inscription on his Tombstone.

People who were living in the West in 1856, well remember the terrible winter of that year, and the suffering it occasioned among the poorer classes. Severity of weather, scarcity of provisions, and the high price of fuel, following hard upon a season of uncommon distress and disaster

in all kinds of business, necessarily brought starvation and suffering to a large floating population, which had gathered into the little towns and settlements along the Missouri border. This was especially the case in the settlements of Kansas, which, by their supposed opportunities for profitable investment and occupation, had attracted a large emigration from other parts of the Union. Langford Peel was at this time a prosperous citizen of Leavenworth. Moved to compassion by the sufferings of those around him, he contributed generously to their relief. Among others who shared liberally of his bounty were Messrs. Conley and Rucker, two men whom he found in a state of complete destitution, and invited to his house, where they were comfortably provided for until spring, and then aided with means to return to their friends.

Of Peel's antecedents, previous to this time, I know nothing. He was regarded as one of those strange compounds who unite in their character the extremes of recklessness and kindness. In his general conduct there was more to approve than condemn, though his fearless manner, his habits of life, and his occupation as a gambler, gave him a doubtful reputation. Among people of his own class he was specially attractive,

because of his great physical strength, manly proportions, undoubted bravery, and overflowing kindness. To these qualities he added a repose of manner that gave him unbounded influence in his sphere. No man was more prompt to make the cause of a friend his own, to resent an injury, or punish an insult. His dexterity with the revolver was as marvellous as the ready use he made of it when provoked. His qualifications as a rough and ready borderer bespoke a foreground in his life, of much exposure and practice.

The year 1858 found him in Salt Lake City, in reduced circumstances. As if to mark this reverse with peculiar emphasis, Conley and Rucker, the sharers of his bounty two years before, were also there engaged in prosperous business. They had seemingly forgotten their old benefactor, and treated him with coldness and neglect. Peel was an entire stranger to all save them, and felt bitterly their ingratitude.

A citizen by the name of Robinson, who had been attracted by the manly figure of Peel, observed him, a few days after his arrival, seated upon a log in the rear of the Salt Lake House, apparently in deep study. Calling his partner to the door, he inquired if he knew him.

"His name is Peel, I have been told," was the reply.

"He is in trouble."

"Yes, he's got no money, and is a stranger."

"Do you know him?"

"No, I never spoke to him. I only know he's in distress, destitute, and has no friends. He's the man who took care of a lot of boys that were dead broke, that hard winter at Leavenworth."

"He is? If I didn't think he'd take it as an insult, I'd go out and offer him some money."

Later in the day, Peel entered Robinson's room, and approaching Conley, who was seated in the "lookout seat," near a table where a game of faro was progressing, said to him, —

"Dave, I wish you'd lend me twenty-five dollars?"

"I'll not do it," replied Conley.

"Why?"

"I've no money to loan."

"I don't consider it a loan," said Peel, looking steadfastly at Conley. Then, as if influenced by a recollection of his own kindness to the man who refused him, he exclaimed, "Great God! is it possible that there is not a man in the country who will lend me twenty-five dollars?"

Robinson, who was seated by the table drawer,

now drew it out, and, grasping a handful of coin, threw it eagerly upon the table.

"Here," said he, "Mr. Peel, I'll loan you twenty-five dollars, or as much more as you want. You're entirely welcome to it."

Peel turned, and fixing upon Robinson a look of mingled surprise and gratitude, responded, "Sir, you're a stranger to me. We never spoke together before, but I will gratefully accept your kindness, and thank you. All I want is twenty-five dollars, and I'll pay you as soon as I can." He then picked up five half-eagles, and placed them in the palm of his hand.

"Take more, Peel," said Robinson. "Take a hundred, or whatever you want."

"No, this is all I want;" then, fixing his gaze upon Conley, whose face was red and swollen with anger, he seized the "case keeper" used for marking the game, and hurled it violently at his head. Conley dodged, and the only effect of the act was a deep indentation in the adobe wall. Conley sprung from his seat and ran out of the building. Peel drew his revolver with the intention of pursuing, but Robinson, seizing his arm, said, —

"Stay your hand, Peel. For God's sake, don't make any disturbance."

Peel sheathed his pistol at the moment, and,

taking Robinson by the hand, replied, "No; you must excuse me. I beg a thousand pardons, but I was very angry. You're the only friend I have in this country. Conley has treated me like a dog. All of 'em have. I have fed them for weeks in my own house, when they had nothing to eat. My wife has cooked, and washed and ironed their clothes for them, and this is the return I get for it."

He then started to leave, but, as if suddenly reminded that he had neglected to say something, he returned; and while the tears, which he vainly tried to suppress, were streaming down his cheeks, he said, —

"I'll certainly repay this money. I would rather die than wrong you out of it."

He had been gone about twenty minutes when shots were heard.

"I reckon," said Robinson, starting for the door, "that Peel has killed Conley."

All followed, but they found that the exchange of shots was between Peel and Rucker, the latter the proprietor of a faro bank on Commercial Street, where Peel had gone and staked his money on the turn of a card.

Rucker, perceiving it, pushed the money away, remarking, in a contemptuous tone, —

"I don't want your game."

Smarting under the insult conveyed in these words, Peel raised a chair to hit Rucker on the head. Rucker fled through the rear door of the building, and entered Miller's store adjoining, the back stairs of which he hurriedly ascended, drawing his revolver by the way. Peel soon after went into the store by the front door, and inquired for Miller, who was absent. Sauntering to the rear of the apartment, which was but dimly lighted, he came suddenly upon Rucker, who had just descended the stairs, and, with revolver in hand, was waiting his approach.

"What do you want of me?" inquired Rucker, thrusting his pistol against Peel's side.

"Great God!" was Peel's instant exclamation, drawing and cocking his pistol with lightning rapidity. Their simultaneous fire gave but a single report, and both fell, emptying their pistols after they were down. Peel was wounded in the thigh, through the cheek, and in the shoulder. Rucker, hit every time, was mortally wounded, and died in a few moments. Peel was conveyed to the Salt Lake House, where his wounds received care.

Miller was clamorous for Peel's arrest, and the city police favored his execution, but the sym-

pathies of the people were with him. He had many friends, who assured him of protection from violence, and kept his enemies in ignorance of his condition until such time as he could be removed to a place of concealment. This project was intrusted to a Mormon dignitary of high standing in the church, who was paid forty-five dollars for the service. He conveyed Peel to a sequestered hut twelve miles distant from the city, on the Jordan road, and with undue haste provided him with female apparel and a fast horse, to facilitate his escape from the country. His wounds were too severe, and he was obliged to return to the shelter of the hut, near which Miller discovered him a few days afterwards, while walking for exercise. Miller disclosed his discovery to the police, boasting, meantime, of what he had done in so public a manner, that the friends of Peel, hearing it, speedily provided for his protection. Close upon the heels of the policemen who had gone to arrest Peel they sent the wily Mormon, with instructions to convey him to a place of safety. The night was dark, and the rain froze into sleet as it fell. The policemen stopped at a wayside inn to warm and refresh themselves, and were passed by the Mormon, who, dreading the vengeance which would visit him in case of failure, urged his horse into a run, and

arrived in time to conduct Peel to Johnson's ranche, where he was secreted for several weeks. As soon as he was able, he made the journey on horseback to California, by the southern route, passing through San Bernardino and Los Angeles. Large rewards were offered for his arrest, but his friends, believing him to be the victim of ingratitude, would not betray him.

The death of Rucker lay heavy on the conscience of Peel, and from the moment of his arrival on the Pacific coast, his downward career was very rapid. He associated only with gamblers and roughs, among whom the height of his ambition was to be an acknowledged chief. He was a bold man who dared to dispute the claim to this title with him, for usually he did not escape without disputing on the spot his higher title to life. Expert in pistol practice, desperate in character, Peel was never more at home than in an affray. His wanderings at length took him to Carson City, in Nevada, where his shooting exploits, and their bloody character, form a chapter in the early history of the place. It is told of him by his associates, as a mark of singular magnanimity, that he scorned all advantage of an adversary, and, under the bitterest provocation, would not attack him until satisfied that he was armed. His loy-

alty to this principle, as we shall see hereafter, cost him his life.

From many incidents related of the reckless life led by Peel while in Nevada, we select one, as especially illustrative. A prize fight between Tom Daly, a noted pugilist, and Billy Maguire, better known as the "Dry Dock Chicken," was planned by the roughs of Virginia City. It was intended to be a "put-up job." By the delivery of a foul blow, Maguire was to be the loser. The referee and umpire were privy to the arrangement, and were to decide accordingly. A great number of sports were in attendance. At the stage of progress in the fight agreed upon, Maguire struck his antagonist the exceptionable blow. The expected decision was given; but Izzy Lazarus, and other men familiar with the rules of the ring, said that it was not foul. One of the initiated, named Muchacho, disputed the question with Lazarus, who gave him the lie. Drawing his pistol, he brought it to an aim, so as to clear the inner ring, and shouting, "Look out!" fired and hit Lazarus in the breast. Lazarus refrained from firing lest he should hit others, but approached Muchacho, who fired again, wounding his pistol hand. Quick as thought, Lazarus seized his pistol in the left hand, and fired, killing Muchacho in his tracks.

The row now became general, and pistol shots were fired in all parts of the crowd. No others were killed, but many were severely wounded, and such was the confusion during the *mêlée* that the fatal shot of Lazarus escaped observation. Many were the conjectures on the subject, but suspicion seemed to fasten upon Lazarus. Dick Paddock, a friend of his, being in Robinson's saloon a few days after the affray, boldly avowed that he fired it. Peel overheard him, and, after informing him that Muchacho was his friend, challenged him to a fight on the spot. Both men stepped outside the saloon, took their positions, and commenced firing. Peel wounded Paddock three times, escaping unharmed himself, and the combat closed without any fatal consequences. "El Dorado Johnny" renewed the quarrel, for the double purpose of avenging Paddock and establishing a claim as chief. The next day, while walking up street, he addressed the following inquiry to Pat Lannan, who was standing in the door of his saloon, —

"Pat, what sort of a corpse do you think I'd make?"

"You don't look much like a corpse now, Johnny," replied Lannan, laughing.

"Well, I'm bound to be a corpse or a gentle-

man in less than five minutes," replied Johnny, passing on.

Carefully scrutinizing the inmates of each saloon as he came to it, Johnny soon saw the object of his search pass out of Pat Robinson's, a few rods ahead of him. Walking rapidly back, he turned and faced him, and, half drawing his pistol, said, —

"Peel, I'm chief."

"You're a liar," rejoined Peel, drawing his pistol, and killing Johnny instantly. The words here recorded were all that passed at the encounter. Johnny had his pistol half drawn, but Peel's superior dexterity overcame the advantage. Peel was tried and acquitted.

As no member of the company of roughs was braver than Peel, so none was more observant of the rules and principles by which they was governed. In all their relations to each other, whether friendly or hostile, any violation of a frank and manly course was severely censured, and often punished. A person guilty of any meanness, great or small, lost caste at once. If by any undue advantage, life or property was taken, the guilty person was visited with prompt retribution. Often, in the young communities which sprung up in the mining regions, prominent roughs were elected to positions in the court service. It was deemed a

disgrace to suffer an arrest by an officer of this character, and with Peel it was an every-day boast that he would die sooner than submit to any such authority.

On one occasion, while under the excitement of liquor, being threatened with arrest, he became uncommonly uproarious. A row was threatened, and Peel in a boisterous manner was repeating, with much expletive emphasis, "No man that ever packed a star in this city can arrest me."

Patrick Lannan, above referred to, had just been elected as policeman. He had never been connected with the roughs, and was highly respected as a peaceable, law-abiding citizen. On being informed that there was a man down the street stirring up an excitement, he rushed to the scene, and, elbowing his way through the crowd, confronted Peel. Like the hunter who mistook a grizzly for a milder type of the ursine genus, he felt that this was not the game he was after, but he had gone too far to recede. The arrest must be effected.

"No man," repeated Peel, with an oath, "that ever packed a star in this city can arrest me."

Perceiving Lannan standing near, he instantly added, —

"I'll take that back. You can arrest me, Pat,

for you're no fighting man. You're a gentleman," and suiting the action to the word, with a graceful bow, he surrendered his pistol to Lannan, and submitted quietly to be led away.

To the credit of the roughs of Nevada be it stated, that there were few highwayman, thieves, or robbers among them. Few, except those who were ready to decide their quarrels with the revolver, were killed. The villanous element had been sifted from their midst at the time of the hegira to the northern mines. Those who remained had no sympathy with it. It is not to be denied, however, that they were men of extraordinary nerve, and as a general thing so tenacious of life, that, often, the first to receive a mortal wound in a fight was successful in slaying his antagonist. Indeed, so frequently was this the case, that it operated as a restraint, oftentimes, to a projected combat. Peel belonged to the class who were held in fear by tamer spirits for their supposed hold upon life. The reader will pardon a digression, for the better illustration it affords of this prevalent apprehension.

One of the most memorable fights in Nevada took place between Martin Barnhardt and Thomas Peasley. Peasley was a man of striking presence and fine ability. He had been sergeant-

at-arms in the Nevada Assembly. In a quarrel with Barnhardt at Carson City, he had been wounded in the arm. Both Barnhardt and Peasley claimed to be "chief," — always a sufficient cause of quarrel between men of their stamp. Meeting Peasley one day after the fight, Barnhardt tauntingly asked him if he was as good a man then as he was at Carson.

"This," replied Peasley, "is neither the time nor place to test that question."

Soon afterwards, while Peasley was seated in the office of the Ormsby House in Carson, engaged in conversation with some friends, Barnhardt entered, and approaching him asked, —

"Are you heeled?"

"For Heaven's sake," rejoined Peasley, "are you always spoiling for a fight?"

"Yes," cried Barnhardt, and without further notice fired his revolver. The ball passed through Peasley's heart. Seeing that he had inflicted a fatal wound, Barnhardt fled to the washroom, closing the windowed door after him. Peasley rose and staggered to the door. Thrusting his pistol through the sash, he fired and killed Barnhardt instantly. Falling back in the arms of his friends, they laid him upon a billiard table.

"Is Barnhardt dead?" he whispered, as life was ebbing.

"He is," was the ready answer given by half a dozen sorrowing friends.

"'Tis well. Pull my boots off, and send for my brother Andy," and with the words on his lips he expired.

Peasley was supposed to be the original of Mark Twain's "Buck Fanshaw." He was a man of the highest degree of honor, and, if his talents had been properly directed, would have distinguished himself.

I resume the history of Peel, at the point of his departure from Nevada. He left in 1867, in company with one John Bull as a partner. They quarrelled by the way and dissolved partnership, but on arriving at Salt Lake, became reconciled, and started for Helena, Montana, where Bull arrived some weeks in advance. When Peel arrived, Bull had gone to examine the mines at Indian Creek. Returning soon after, his account was so favorable, that Peel concluded to go there at once. He came back in a week thoroughly disgusted, and very angry at Bull, whom he accused of misrepresentation and falsehood. Bull explained, and they parted seeming friends, but Peel's anger was not appeased. Meeting Bull some days after,

he renewed the quarrel at Hurley and Chase's saloon. Oaths and epithets were freely exchanged; and Peel seized, and was in the act of drawing, his pistol.

"I am not heeled," said Bull, on discovering his design.

"Go, then, and heel yourself," said Peel, slapping him in the face.

Bull started, saying as he went, —

"Peel, I'll come back, sure."

"When you come," replied Peel, "come fighting."

Bull went out and armed himself. While returning, he met William Knowlden, to whom he related the circumstances of the quarrel, and told him what disposition to make of his effects in case he was killed. Passing on, he met Peel coming out of the saloon, and fired three shots before Peel could draw his revolver. Each shot took effect, one in the neck, one in the face, and a third in the left breast. Peel fell and died without uttering a word. It was the general opinion that he was treated unfairly. Bull was indicted, tried, and his conviction failed by disagreement of the jury, which stood nine for acquittal, and three for a verdict of guilty. He left the country soon after.

On a plain slab in the graveyard at Helena is the following inscription : —

SACRED
TO THE
MEMORY OF
LANGFORD PEEL.
BORN IN
LIVERPOOL.
DIED
JULY 23, 1867,
AGED
36 YEARS.

IN LIFE, BELOVED BY HIS FRIENDS, AND RESPECTED BY HIS ENEMIES.

VENGEANCE IS MINE, SAITH THE LORD.
I KNOW THAT MY REDEEMER LIVETH.
ERECTED BY A FRIEND.

I was curious to learn what suggested the last two scriptural quotations, and found that the friend had the idea that, as Peel did not have fair play, the Lord would avenge his death in some signal manner. The other sentence was thought to properly express the idea that the man was living who would redeem Peel's name from whatever obloquy might attach to it, because of his having "died with his boots on." Could there be a more strange interpretation of the scriptures ?

CHAPTER XIX.

JOSEPH A. SLADE.

OVERLAND STAGE ROUTE — DESPERATE EMPLOYES — JULES RENI — JULES SHOOTS SLADE — SLADE RESOLVES TO KILL JULES — CARRIES HIS RESOLVE INTO EFFECT — COMES TO VIRGINIA CITY — QUARREL WITH THE WRITER — ENCOUNTER WITH BOB SCOTT — LAWLESSNESS IN VIRGINIA CITY — THREATENS THE LIFE OF JUDGE DAVIS — VIGILANTES ASSEMBLE — ARREST OF SLADE — HIS EXECUTION.

GOOD men who were intimate with Joseph A. Slade before he went to Montana gave him credit for possessing many excellent qualities. He is first heard of outside of his native village of Carlisle, in the State of Illinois, as a volunteer in the war with Mexico, in a company commanded by Captain Killman. This officer, no less distinguished for success in reconnoitre, strategy, and surprise, than service on the field of battle, selected from his regiment for this dangerous enterprise, twelve men of unquestioned daring and energy. Slade was among the number. A comrade of his during this period bears testi-

mony to his efficiency, which he said always won the approbation of his commander. How or where his life was passed after the close of the war, and until he was intrusted with the care of one of the divisions of the Great Overland Stage route in 1859, I have no knowledge. This position was full of varied responsibility. His capabilities were equal to it. No more exalted tribute can be paid to his character than to say that he organized, managed, and controlled for several years, acceptably to the public, to the company, and to the employes of the company, the great central division of the overland stage route, through six hundred miles of territory destitute of inhabitants and law, exposed for the entire distance to hostile Indians, and overrun with a wild, reckless class of freebooters, who maintained their infamous assumptions with the pistol and bowie knife. No man without a peculiar fitness for such a position could have done this.

Stealing the horses of the stage company was a common crime. The loss of the property was small in comparison with the expense and embarrassment of delaying the coach, and breaking up the regularity of the trips. If Slade caused some of the rascals engaged in this business to be hanged, it was in strict conformity to

the public sentiment, which in all new countries regards horse-stealing as a capital offence. Nothing but fear could restrain their passion for this guilty pursuit. Certain it is, that Slade's name soon became a terror to all evil-doers along the road. Depredations of all kinds were less frequent, and whenever one of any magnitude was committed, Slade's men were early on the track of the perpetrators, and seldom failed to capture and punish them.

The power he exercised as a division agent was despotic. It was necessary for the service in which he was employed that it should be so. Doubtless, he caused the death of many bad men, but he has often been heard to say, that he never killed but one himself. It was a common thing with him, if a man refused to obey him, to force obedience with a drawn pistol. How else could he do it, in a country where there was no law?

In the purchases which he made of the ranchemen he sometimes detected their dishonest tricks, and generally punished them on the spot. On one occasion, while bargaining for a stack of hay, he discovered that it was filled with bushes. He told the rancheman that he intended to confine him to the stack with chains, and burn him, and commenced making preparations, seemingly for

that purpose. The man begged for his life, and, with much apparent reluctance, Slade finally told him if he would leave the country and never return to it he would give him his life. Glad of the compromise the fellow departed the next morning. This was all that Slade desired.

Stories like these grate harshly upon the ears of people who have always lived in civilized communities. Without considering the influences by which he is surrounded, this class pronounce such a man a ruffian. An author who writes of him finds it no task to blacken his memory, by telling half the truth. People who have once heard of him are prepared to believe any report which connects his name with crime. Wrong as this is on general principles, it has been especially severe in the case of Slade. Misrepresentation and abuse have given to him the proportions, passions, and actions of a demon. His name has become a synonym for all that is infamous and cruel in human character. And yet not one of all the great number of men he controlled, or of those associated with him as employes of the overland stage company, men personally cognizant of his career, believe that he committed a single act not justified by the circumstances provoking it.

He could not be true to his employers and

escape censure, any more than he could have discharged the duties expected of him without frequent and dangerous collision with the rough elements of the society in which he moved. That he lived through it all was a miracle. A man of weaker resolution, and less fertility of resource, would have been killed before the close of his first year's service. Equally strange is it, that one whose daily business required a continual exercise of power in so many and varied forms, at one moment among his own employes, at the next among the half-civilized borderers by whom he was surrounded, and perhaps at the same time sending out men in pursuit of horse thieves, should have escaped with so few desperate and bloody encounters.

The uniform testimony of those who knew him is, that he was rigidly honest and faithful. He exacted these qualities from those in his employ. Among gentlemen he was a gentleman always. He had no bad habits. Men who were brought in daily contact with him, during his period of service, say that they never saw him affected by liquor. He was generous, warmly attached to his friends, and happy in his family. He was of a lively, cheerful temperament, full of anecdote and wit, a pleasant companion, whose personal

magnetism attached his friends to him with hooks of steel.

Many jarring and discordant incidents disfigured this flattering foreground in Slade's border life, but there was only one which gave it a sanguine hue. That in all its parts, and from the very first, has been so tortured and perverted in the telling, that persons perfectly familiar with all its details do not hesitate to pronounce every published version a falsehood. I have the narrative from truthful men, personally familiar with all the facts.

Among the ranchemen with whom Slade early commenced to deal was one Jules Reni, a Canadian Frenchman. He was a representative man of his class, and that class embraced nearly all the people scattered along the road. They regarded him as their leader and adviser, and he was proud of the position. He espoused their quarrels with outsiders, and reconciled all differences occurring among themselves. In this way, he exercised the power of a chief over the class, and maintained a rustic dignity, which commanded respect within the sphere of its influence. Jules and Slade had frequent collisions, which generally originated in some real or supposed encroachment by the latter upon the dignity or

importance of the former. They always arose from trivial causes, and were forgotten by Slade as soon as over; but Jules treasured them up until the account against his rival became too heavy to be borne. A serious quarrel, in which threats were exchanged, was the consequence. If Slade had treasured up any vicious memory of this difficulty, no evidence of it was apparent when he afterwards met Jules. They accosted each other with usual courtesy, and soon fell into a friendly conversation, in which others standing by participated. Both were seated at the time on the fence fronting the station. At length Jules left and entered his house, and a moment afterwards Slade followed. Slade was unarmed. He had gone but a few rods, when one of the men he had just left, in a tone of alarm, cried to him, —

"Look out, Slade, Jules is going to shoot you!"

As Slade turned to obey the summons, he received the bullet from Jules's revolver. Five shots from the pistol were fired in instant succession, and then Jules, who was standing in the door of his cabin, took a shot-gun which was within reach, and emptied its contents into the body of Slade, who was facing him when he fell. Slade was carried into the station, and placed in

a bunk, with bullets and buck-shot to the number of thirteen lodged in his person. No one who witnessed the attack supposed he could survive an hour. Jules was so well satisfied that he was slain, that in a short time afterwards he said to some person near, in the hearing of Slade, "When he is dead, you can put him in one of these dry-goods boxes, and bury him."

Slade rose in his bunk, and glaring out upon Jules, who was standing in front of the station, exclaimed with an oath, "I shall live long enough to wear one of your ears on my watch-guard. You needn't trouble yourself about my burial."

In the midst of the excitement occasioned by the shooting, the overland coach arrived, bringing the superintendent of the road. Finding Slade writhing in mortal agony, he, on hearing the nature of the assault, caused Jules to be arrested, and improvised a scaffold for his immediate execution. Three times was Jules drawn up by willing hands and strangled until he was black in the face. On letting him down the last time, the superintendent, upon his promise to leave the country, ordered his release. He left immediately.

Slade lingered for several weeks at the station, and finally went to St. Louis for treatment. As

soon as he was sufficiently recovered, he returned to his division, with eight remaining bullets in his body. The only sentiment of all, except the personal friends of Jules, was, that this attack upon Slade, as brutal as it was unprovoked, should be avenged. Slade must improve the first opportunity to kill Jules. This was deemed right and just. In no other way could he, in the parlance of the country, get even with him. Slade determined to kill Jules upon sight, but not to go out of his way to meet him. Indeed, he sent him word to that effect, and warned him against a return to his division.

Jules, in the mean time, had been buying and selling cattle in some parts of Colorado. Soon after Slade's return to his division, Jules followed, for the ostensible purpose of getting some cattle that he owned, which were running at large; but his real object, as he everywhere boasted on his journey, was to kill Slade. This threat was circulated far and wide through the country, coupled with the announcement that Jules was on his return to the division to carry it into speedy execution. He exhibited a pistol of a peculiar pattern, as the instrument designed for Slade's destruction.

Slade first heard of Jules's approach and

threat at Pacific Springs, the west end of his division, just as he was about leaving to return to Julesburg. At every station on that long route of six hundred miles, he was warned by different persons of the bloody purpose which Jules was returning to accomplish. Knowing the desperate character of the man with whom he had to deal, and that the threats he had made were serious, Slade resolved to counsel with the officers in command at Fort Laramie, and follow their advice. On his arrival at that post he laid the subject before them. They were perfectly familiar with former difficulties between Slade and Jules, and the treacherous attack of the latter upon the former. They advised him to secure the person of Jules, and kill him. Unless he did so, the chances were he would be killed himself; and in any event, there could be no peace on his division while Jules lived; as he was evidently determined to shoot him on sight. Slade had been informed that Jules had passed the preceding night at Bordeaux's ranche, a stage station about twelve miles distant from the fort, and had repeated his threats, exhibited his pistol, and declared his intention of lying in wait at some point on the road until Slade should appear.

When Slade was told of this, he hesitated no

longer to follow the advice he had received. Four men were sent on horseback in advance of him to capture Jules and disarm him. Soon after they left, Slade, in company with a friend, followed in the coach. Jules had left Bordeaux's before his arrival, but the story of the threats he had uttered there, were confirmed by Bordeaux, who, when the coach departed, took a seat in it, carrying with him a small armory of guns and pistols. It was apparent that the old man, whose interest was with the winner in the fight, whichever he might be, was prepared to embrace his cause, in case of after disturbance.

As the coach approached the next station, at Chansau's ranche, with Slade as the driver, two of the four men sent to secure Jules were seen riding towards it at a spanking pace. Slade and his friends at once concluded that they had failed in their designs, but the shouts of the men who swung their hats as they passed the coach re-assured them, and Slade drove rapidly up in front of the station. Jumping from the box, he walked hurriedly to the door. There were several persons standing near, all, as was customary, armed with pistol and knife. Slade drew the pistol from the belt of one standing in the doorway, and glancing hastily to see that it was

loaded, said, — "I want this." He then came out, and at a rapid stride went to the corral in rear of the station where Jules was a prisoner. As soon as he came in sight of him, he fired his pistol, intending to hit him between the eyes, but he had aimed too low, and the ball struck him in the mouth, and glanced off without causing material injury. Jules fell upon his back, and simulated the mortal agony so well, that for a few moments the people supposed the wound was fatal. Slade discovered the deception at a glance.

"I have not hurt you," said he, "and no deception is necessary. I have determined to kill you, but having failed in this shot, I will now, if you wish it, give you time to make your will."

Jules replied that he should like to do so; and a gentleman who was awaiting the departure of the coach, volunteered to draw it up for him. The inconvenience of walking back and forth from the corral to the station, through the single entrance in front of the latter, made this a protracted service. The will was finally completed and read to Jules. He expressed himself satisfied with it, and the drawer of it went to the station to get a pen and ink, with which he could sign it. When he returned a moment afterwards,

Jules was dead. Slade had shot him in the head during that temporary absence.

Slade went to Fort Laramie and surrendered himself a prisoner to the officer in command. Military authority was the only law of the country, and though this action of Slade may have a farcical appearance when taken in consideration with the circumstances preceding it, yet it was all that he could do to signify his desire for an investigation. The officers of the fort, familiar with all the facts, discharged him, with their unanimous approval of the course he had pursued. The French friends of Jules never harmed him. The whole subject was carefully investigated by the stage company, which, as the best evidence it could give of approval, continued Slade in its employ.

This is the history of the quarrel between Slade and Jules Reni, as I have received it from a gentleman familiar with all its phases from its commencement to its close. The aggravated form in which the narrative has been laid before the public, charging Slade with having tied his victim to a tree, and firing at him at different times during the day, taunting him meantime, and subjecting him to a great variety of torture, before killing him, is false in every

particular. Jules was not only the first, but the most constant aggressor. In a community favored with laws and an organized police, Slade would not have been justified in the course he pursued, yet, under our most favored institutions, more flagrant cases than this daily escape conviction. In the situation he accepted, an active business man, intrusted with duties which required constant exposure of his person both night and day, what else could he do, to save his own life, than kill the person who threatened and sought an opportunity to take it? Law would not protect him. The promise which Jules had made with the halter about his neck, to leave the country, did not prevent his return to avenge himself upon Slade. It was impossible to avoid a collision with him; and to kill him under such circumstances, was as clear an act of self-defence, as if, in a civilized community, he had been slain by his adversary with his pistol at his heart.

Slade's career, relieved from the infamy of this transaction, presents no feature for severe public condemnation, until several years after its occurrence. He retained his position as division agent, discharging his duties acceptably, and was, in fact, regarded by the company as their most efficient man. When the route was changed from Lara-

mie to the Cherokee Trail, he removed his headquarters to a beautiful nook in the Black Hills, which he named Virginia Dale, after his wife, whom he loved fondly.

His position as division agent often involved him unavoidably in difficulty with ranchemen and saloon-keepers. At one time, after the violation of a second request to sell no liquor to his employes, Slade riddled a wayside saloon, and poured the liquor into the street. On another occasion, seemingly without provocation, he and his men took possession of the sutler's quarters at Fort Halleck, and so conducted as to excite the animosity of the officers of the garrison, who determined to punish him for the outrage. Following him in the coach to Denver, they arrested and would not release him, until the company assured them he should leave the division.

This threw him out of employment, and he went immediately to Carlisle, Illinois, whence, early in the spring of 1863, he drifted with the tide of emigration to the Beaverhead mines. As with all men of ardent temperament, his habits of drinking, by long indulgence, had passed by his control. He was subject to fits of occasional intoxication, and these, unfortunately, became so frequent, that seldom a week passed unmarked

by the occurrence of one or more scenes of riot, in which he was the chief actor. Liquor enkindled all the evil elements of his volcanic nature. He was as reckless and ungovernable as a maniac under its influences, but even those who had suffered outrage at his hands during these explosive periods, were disarmed of hostility by his gentle, amiable deportment, and readiness always to make reparation on the return of sobriety. His fits of rowdyism, moreover, always left him a determined business man, with an aim and purpose in life. As a remarkable manifestation of this latter quality, soon after he went to Montana, a steamboat freighted with goods from St. Louis, unable from low water to ascend the Missouri to Fort Renton, had discharged her cargo at Milk river, in a country filled with hostile Indians; and Slade was the only man to be found in the mines willing to encounter the risk of carrying the goods by teams to their place of destination in the Territory. The distance was seven hundred miles, full half of which was unmarked by a road. The several bands of the Blackfeet occupied the country on the north, and the Crows, Gros-Ventres, and Sioux on the south. Slade collected a company of teamsters, led them to the spot, and returned safely with the

goods, meeting with adventures enough on the way to fill a volume.

After the discovery of Alder Gulch, Slade went to Virginia City. It was there that I first met him. Slade came with a team to my lumber-yard, and selecting from the piles a quantity of long boards, directed the teamsters to load and take them away. After the men had started with the load, Slade asked me, —

"How long credit will you give me on this purchase?"

"About as long as it will take to weigh the dust," I replied.

He remarked good-humoredly, "That's played out."

"As I can buy for cash only, I must of necessity require immediate payment on all sales," I said, by way of explanation.

Slade immediately called to the teamster to return and unload the lumber, remarking, as soon as it was replaced upon the piles, —

"Well, I can't get along without the boards anyhow; load them up again."

The man obeyed and left again with the load, Slade insisting as before, that he must have time to pay for it, and I as earnest in the demand for immediate payment. The teamster returned and unloaded a second time.

"I must and will have the lumber," said Slade; and the teamster, by his direction, was proceeding to reload it a third time, when I forbade his doing so, until it was paid for.

Our conversation now, without being angry, became very earnest, and I fully explained why I could not sell to any man upon credit.

"Oh, well," said he, with a significant toss of the head: "I guess you'll let *me* have it."

"Certainly not," I replied. "Why should I let you have it sooner than another?"

"Then I guess you don't know who I am," he quickly rejoined, fixing his keen dark eyes on me.

"No, I don't; but if I did, it could make no difference."

"Well," he continued, in an authoritative tone and manner, "my name is Slade."

It so happened that I had never heard of him, my attention being wholly engrossed with business, so I replied, laughingly, —

"I don't know now, any better than before."

"You must have heard of Slade of the Overland."

"Never before," I said.

The reply seemed to annoy him. He gave me a look of mingled doubt and wonder, which, had

it taken the form of words, would have said, "You are either trying to fool me, or are yourself a fool." No doubt he thought it strange that I should never have heard of a man who had been so conspicuous in mountain history.

"Well," he said, "if you do not know me, ask any of the boys who I am, and they will inform you. I'm going to have this lumber; that is dead sure," and with an air of much importance, he moved to a group of eight or ten men that had just come out of Skinner's saloon, all of whom were *attachés* of his. "Come, boys," said he, "load up the wagon."

Several of my friends were standing near, and the matter between us had fully ripened for a conflict. At this moment, John Ely, an old friend, elbowed his way through the crowd, and learning the cause of the difficulty, told me to let Slade have the lumber, and he would see that I was paid the next day. I readily consented. Ely then took me aside and informed me of the desperate character of Slade, and advised me to avoid him, as he was drunk, and would certainly shoot me at our next meeting.

Early in the evening of the same day, Slade, instigated by the demon of whiskey, provoked a fight with Jack Gallagher, which, had not by-

standers disarmed the combatants, would have had a fatal termination. Soon after this was over I saw him enter the California Exchange, accompanied by two friends whom he invited to drink with him. When in the act of raising their glasses, Slade drew back his powerful arm and struck the one nearest him a violent blow on the forehead. He fell heavily to the floor. Slade left immediately, and the man, being raised, recovered consciousness and disappeared. Slade returned in a few moments with another friend whom he asked to drink, and struck down. Again he went out, and soon came in with another whom he attempted to serve in the same manner, but this man rose immediately to his feet. Slade was foiled by the interference of bystanders, in the attempt to strike him again. Turning on his heel, his eye caught mine. I was standing a few feet from him by the wall. He advanced rapidly towards me, and, expecting an assault, I assumed a posture of defence. Greatly to my surprise, he accosted me civilly, and throwing his arm around me, said jocosely, —

"Old fellow! You didn't think I was going to cheat you out of that lumber, did you?"

He then asked me to drink. I respectfully declined.

"It's all right," said he, and walked away.

I met him afterwards several times during the evening, but he said nothing more.

Nine years after these occurrences, in July, 1872, I went from Helena to Fort Hall by coach, to accompany the United States Geological Survey, under charge of Dr. Hayden, to the National Park. Dan Johnson, the driver from Snake river to the fort, being unwell, and having a vicious horse in his team, asked my assistance, and I drove for him to the station. We fell into a desultory conversation, and Dan's reserve wearing off, he gave me a look of recognition from under the broad rim of his hat, abruptly exclaiming, —

"If I'm not much mistaken, I've seen your face before."

"Very likely. I've passed over the line many times."

"That's not it. It's a long time since I have seen you, and I have got you mixed up with some old recollections of Virginia City, as long ago as 1863."

"I was there a good portion of the time during the fall of that year."

"Just as I thought," he replied; "you're the very man who sold the lumber to Slade. We boys thought Slade would shoot you, when you

refused to trust him for the boards. He came pretty near doing it, and it wa'n't a bit like him not to. I was one of the teamsters then, and we all expected a big row about it, and stood by, ready to pitch in. I ain't that kind of a man now, but things were different then, and anybody that worked for Slade, if he wished to escape being shot, had to stand by him in a fight. I never knew why Slade didn't shoot you, but there was never any telling what he would do, and what he wouldn't. Sometimes it was one thing and sometimes another, just as the notion took him; but if he ever was put down by a man, which wasn't often, he always seemed to remember it, and was civil to him afterwards. You was in mighty big luck to get out of the scrape as you did."

In illustration of this latter peculiarity, an incident is related of Slade, which occurred during that portion of his life passed on the overland stage route. He and one Bob Scott, a somewhat noted man of the time, had become interested in a set-to at poker; game followed game, and drink followed drink. Both were exhilarated by liquor, bets grew larger, and finally in one game each had "raised" the other till Slade's money was exhausted. Slade pointed to the piles of coin heaped upon the table, exclaiming,—

"Bob, that money belongs to me."

"It does if the cards say so," said Bob, "not otherwise."

"Perhaps," rejoined Slade, "my cards are not better than yours; but," drawing his revolver and pointing it at Scott, "my *hand is.*"

Scott glanced at him with amazement, and for a moment both parties were silent. At length Slade reached forward to pull down the pile of double eagles and transfer them to his pocket, when, with the quickness of lightning, Scott pushed aside the pistol with one hand, and dealt his antagonist a stunning blow between the eyes with the other. Slade fell, and Scott fell on him, and gave him a severe drubbing, only permitting him to rise on his promising to behave himself.

The game was renewed and no reference made to the fight, until Slade, thoroughly sobered, quietly remarked, —

"Well, Bob, if you'd pounded me about two minutes longer, I'd have got sober sooner."

Soon after he came to Virginia City, Slade located a ranche on the margin of Meadow creek, twelve miles distant, and built a small stone house in one of the wildest dells of the mountain overlooking it. This lonely dwelling, seldom visited by him, was occupied solely by his wife, who fit-

tingly typified the genius of that majestic solitude over which she presided. This ill-fated lady was at this time in the prime of health and beauty. She possessed many personal attractions. Her figure was queenly, and her movements the perfection of grace. Her countenance was lit up by a pair of burning black eyes, and her hair, black as the raven's wing, fell in rich curls over her shoulders. She was of powerful organization, and having passed her life upon the borders, knew how to use the rifle and revolver, and could perform as many dexterous feats in the saddle as the boldest hunter that roamed the plains. Secure in the affection of her husband, she devoted her life to his interests, and participated in all the joys and sorrows of his checkered career. While he lived, she knew no heavier grief than his irregularities. In his wildest moments of passion and violence, Slade dearly loved his wife. Liquor and license never made him forgetful of her happiness, or poisoned the love she bore for him.

The frequent and inexcusable acts of violence committed by Slade made him the terror of the country. His friends warned him of the consequences, but he disregarded their advice, or if possible behaved the worse for it. It was an invariable custom with him when intoxicated, to

mount his horse and ride through the main street, driving into each saloon as he came to it, firing at the lamps, breaking the glasses, throwing the gold scales into the street, or committing other acts equally destructive and vicious, and seldom unaccompanied by deeds of personal violence as unprovoked as they were wanton and cruel. People soon tired of pecuniary reparation and gentlemanly apologies for a course of brutality, which, sooner or later, they foresaw must culminate in outrage and bloodshed. All the respect they entertained for Slade when sober, was changed into fear when he was drunk; and rather than offend one so reckless of all civil restraint, they closed and locked their doors at his approach. In the absence of law, the people after the execution of Helm, Gallagher, and their associates, established a voluntary tribunal, for the punishment of offenders against the peace, which was known as the People's Court. It possessed all the requisites for trial of a constitutional court; and its judgments had never been disputed. Alexander Davis, a lawyer of good attainments in his profession, and a man of exemplary character, was the judge. Slade had been often arrested and fined by this tribunal, and always obeyed its decrees, but an occasion came when he refused longer

to do so, and treated its process and officers with contempt.

He was arrested one morning after a night of riot and violence. He and his companions had made the town a scene of uproar and confusion. Every saloon in it bore evidence of their drunken mischief and lawlessness. They were taken before Judge Davis, who ordered the sheriff to read the writ to them, by way of an arraignment. Fairweather, one of Slade's comrades, placed his right hand on his revolver and menacingly snatched the writ from the sheriff's hands with his left, before it was half read, and tearing it in twain, cast the pieces angrily upon the floor and ground them under his feet.

"Go in, Bill," said Slade, addressing him and drawing his revolver, "I am with you. We'll teach this volunteer court what its law is worth anyhow."

The sheriff, who probably entertained Falstaffian ideas of valor, made no resistance, and the court was thus virtually captured. This transaction roused the Vigilantes, who had only been prevented from summarily punishing Slade on several occasions during the previous three months at the earnest intercessions of P. S. Pfouts, Major Brookie and Judge Davis. The two first named

of those gentlemen now abandoned him. A large number of the Committee assembled, and while they were engaged in council, a leading member sought out Slade, and in an earnest, quiet tone, said to him, —

"Slade, get your horse at once and go home, or you will have serious trouble."

Slade, himself a member of the Vigilantes, startled into momentary sobriety by this sudden warning, quickly inquired, —

"What do you mean?"

"You have no right to ask me what I mean. Get your horse at once, and remember what I tell you."

"All right," he replied; "I will follow your advice."

A few moments afterwards he made his appearance on horseback, to obey, as his friend supposed, the warning he had given him; but, seeing some of his comrades standing near, he became again uproarious, and seemed by his conduct to ignore the promise he had made. Seeking for Judge Davis, whom he found in the store of Pfouts and Russell, he interrupted him while conversing with John S. Lott.

"I hear," said he, addressing him, "that they are going to arrest me."

"Go home, Slade," said Davis; "go at once, and behave yourself, and you may yet escape."

"No," he replied, "you are now my prisoner. I will hold you as a hostage for my own safety."

"All right, Slade," said the judge, smiling, and still continuing to converse with Lott.

"Oh, I mean it," replied Slade with an oath, pulling a derringer from his pocket and aiming it at Davis.

William Hunt, who had been an eyewitness of these proceedings, now stepped up, and, facing Slade defiantly, said to him, —

"You are not going to hurt him. He can do and act as he pleases, and don't you dare to touch him."

Slade made some careless rejoinder.

"Slade," said Hunt, "if I'd been sheriff, the first thing I would have done when I got up this morning would have been to arrest you. By that means I would have saved your life, probably prevented bloodshed, and we would have had a quiet town to-day."

"We had better make you sheriff, then," replied Slade.

"No, I have no wish for it; but if I were, I have got nerve enough to arrest you, and would certainly have done so."

"Well, well," said Slade, now thoroughly quieted, "let us go out and get a drink."

The two men left the store. In a few moments Slade returned, and, approaching Davis, said, —

"I was too fast. I ask your pardon for my conduct, and hope you will overlook it."

In the mean time the Vigilantes, undetermined what course to pursue, had sent a request to their brethren at Nevada to join in their deliberations. Six hundred armed miners obeyed the summons, sending their leader in advance to inform the Executive Committee that, in their judgment, Slade should be executed. The Committee, unwilling to recommend this measure, finally agreed that, if unanimously adopted, it should be enforced.

Alarmed at the gathering of the people, Slade again sought the presence of Judge Davis, to repeat his apologies and regrets for the violence of his conduct. He was now perfectly sobered, and fully comprehended the effect of his lawlessness upon the community. The column of Vigilantes from Nevada halted in front of the store, and the executive officer stepped forward and arrested Slade.

"The Committee," said he, addressing him, "have decided upon your execution. If you have any business to settle, you must attend to it immediately."

"My execution! my death! My God! gentlemen, you will not proceed to such extremities! The Committee cannot have decreed this."

"It is even so, and you had better at once give the little time left you to arranging your business."

This appalling repetition of the sentence of the Committee seemed to deprive him of every vestige of manliness and courage. He fell upon his knees, and with clasped hands shuffled over the floor from one to another of those who had been his friends, begging for his life. Clasping the hands of Judge Davis and Captain Williams, he implored them for mercy, mingling with his appeals, prayers and promises, and requests that his wife might be sent for. "My God! my God! must I die? Oh, my dear wife! why can she not be sent for?" were repeated in the most heart-rending accents.

Judge Davis alone stood by the unhappy man in this his great extremity, and tried to save his life. He conversed with several leaders of the Committee, suggesting that they should substitute banishment for death. But the people were implacable. Slade's life among them had been violent, lawless, desperate. No brigand was more dreaded by all who knew him; and the speech which, at the foot

of the gallows, Davis addressed to the crowd in his behalf, fell like water upon adamant. There was no mercy left for one who had so often forfeited all claims to mercy. Yet there were a few men, even among those who had doomed this man to death, that would have given all they possessed to save his life. They could not witness his execution; and some of them, stout of heart and accustomed to disaster, it is no shame to say, wept like children when they beheld him on his march to the scaffold.

As soon as Slade found all entreaty useless, he sent a messenger for his wife, and recovered in some degree his wonted composure. The only favor he now asked of the Committee was, that his execution might be delayed until his wife arrived, — a favor that would have been granted could the Committee have been assured that her presence and remarkable courage would not have excited an attempt at rescue, and been the cause of bloodshed. The scaffold, formed of the gateway of a corral, was soon prepared, and, everything being in readiness, Slade was placed upon a dry-goods box, with the fatal cord around his neck. Several gentlemen whom he sent for came to see him and bid him farewell. One of his comrades, who had exhausted himself in prayers for his re-

lease, as the fatal moment drew nigh, threw off his coat, and, doubling his fists, declared that Slade should be hanged only over his dead body. The aim of a hundred rifles brought him to his senses, and he was glad to escape upon a promise of future good behavior. The execution immediately followed, Slade dying with the fall of the drop. His body was removed to the Virginia Hotel, and decently laid out.

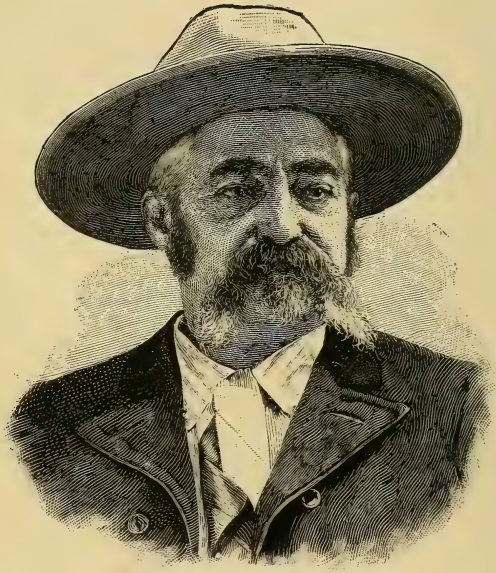
A few moments later his wife, mounted on a fleet horse, dashed up to the hotel, and rushed madly to the bed on which the body lay. Casting herself upon the inanimate form, she gave way to a paroxysm of grief. Her cries were heartrending, mingled with deep and bitter curses upon those who had deprived her of her husband. Hours elapsed before she was sufficiently composed to give directions for the disposition of the body.

"Why, oh, why," she exclaimed, in an agony of grief, "did not some of you, the friends of Slade, shoot him down, and not suffer him to die on the scaffold? I would have done it had I been here. He should never have died by the rope of the hangman. No dog's death should have come to such a man."

The body was placed in a tin coffin filled with alcohol, and conveyed to the ranche, where it re-

mained until the following spring, when it was taken to Salt Lake City and buried in the cemetery. A plain marble slab, with name and age graven thereon, marks the burial-place of Slade, — a man who surrendered all that was noble, generous, and manly in his nature to the demon of intemperance. A friend of his, in a recent letter to me, relating to him, says, —

"Slade was unquestionably a most useful man in his time to the stage line, and to the cause of progress in the Far West, and he never was a robber, as some have represented; but after years of contention with desperate men, he became so reckless and regardless of human life that his best friends must concede that he was at times a most dangerous character, and no doubt, by his defiance of the authority and wholesome discipline of the Vigilantes, brought upon himself the calamity which he suffered."



JOHN X. BEIDLER,
Leading Vigilante and Express Messenger.

CHAPTER XX.

A MODERN HAMAN.

BEIDLER — WOMAN FOR BREAKFAST — MYSTERIOUS MURDER OF A CHINAWOMAN IN HELENA — ARREST AND DISCHARGE OF HANSON — CLAGGETT'S RIFLE — ELECTION DAY — EFFECTS OF NEGRO SUFFRAGE — MURDER OF HAYES BY LEACH — ARREST OF LEACH BY X. — HYNSON'S CONDUCT ON THE OCCASION AND AFTERWARDS — X. SUSPECTS HYNSON OF THE MURDER OF THE CHINAWOMAN — FINDS CLAGGETT'S RIFLE IN HIS POSSESSION, AND RESTORES IT TO THE OWNER — ARRESTS HYNSON — HE IS PUT IN JAIL — HIS THREATS — COWARDLY CONDUCT WHEN RELEASED BY JOHN FETHERSTUN — THREATENS X. — GOES TO BENTON — COWARDICE AND HUMILIATION ON MEETING X. — ASKS HIS ASSISTANCE, AND RECEIVES A PLACE AS NIGHT WATCHMAN — GETS A JOB AND BETRAYS HIS TRUST — X. MAKES A SEIZURE AS MARSHAL — ABUSIVE TREATMENT OF WILLIAMS BY HYNSON — HYNSON BUILDS A SCAFFOLD, AND IS HANGED THEREON — LETTER FROM HIS MOTHER.

"WE'VE got a woman for breakfast this time, and a Chinawoman at that," said X. Beidler, as he drew up to the well-filled breakfast table of the saloon where he boarded. "There's no want of

variety. We had a negro election day, and plenty of white men the week before." (The expression "a man for breakfast," signifies, in mining parlance, that a man has been murdered during the night.)

"What is the new sensation, X.?" inquired one of the boarders.

"Nothing remarkable," replied X., "a China-woman choked to death, and robbed of a thousand dollars during the night."

"Who did it?"

"That's the mysterious part of it. It was done by some one who don't wish to be known. He's an exceptional scoundrel; generally, our murders are committed publicly."

"Have you no idea who committed the deed?"

"Oh, yes, but then I may be mistaken. I'll say nothing about that at present. The woman was ready to leave for Boise this morning with negro Hanson, who has been living with her for some time. I don't think Hanson killed her, but it can do no harm to arrest him on suspicion, and hear his statement."

This brief colloquy occurred in Helena on a Sabbath morning in September, 1867. The town was at that time infested with thieves, ruffians, and

murderers. Shooting affrays, resulting in death to some of the parties concerned, had been of almost daily occurrence for several weeks, and the citizens began to fear a return of the days of 1863.

X. Beidler ate deliberately, and when he had finished, sauntered out in pursuit of Hanson, whom he soon found, arrested, and took before a magistrate. The negro was frightened, but protested his innocence.

"How was it?" inquired the justice, in a kind tone. "Tell us all you know."

"I'll do that, sure," replied Hanson. "You see, this woman and I were jest as close friends as there's any need of. She had eight hundred dollars in dust and greenbacks, and three horses. We had agreed some time ago to go to Boise, and made our arrangements to leave this very morning. I went up to the house last evening and found a white man there. I didn't take no partikler notice of the man, but I think I would know him again if I saw him. I left, and did not go back till this morning, when I found the woman lying dead upon the floor. 'Fore God, that is all I know about the murder of the woman."

After a few more questions relating to the size and general appearance of the man whom he left

in company with the woman, Hanson was discharged.

"I know," said X., significantly, "that he is not guilty. Let him go. We'll look further for the murderer."

Some ten days previous to this time, Hon. William H. Claggett came over from Deer Lodge to address the citizens of Helena on the issues of the political campaign, then in progress. He brought with him a Henry rifle marked on the stock with his initials. Forgetting to take it from the coach on his arrival, he returned from the hotel after it, and it was gone. It had been stolen during his momentary absence. After a diligent but unsuccessful search, it was given up for lost. X., however, promised to keep a lookout for it.

Election day came, when the negroes, for the first time in our history, were to exercise the right of suffrage. It was a great day for them; and the few that were in the city, soon began to make their appearance, dressed up for the occasion as for a holiday. A riot was anticipated, as threats had been made by the roughs in town that the negroes should not vote without a fight. X. Beidler stood near the polls to preserve the peace, and see that every man, black or white, was protected in voting. In the mean time a colored

barber and his negro associate had a set-to at fisticuffs, to decide some knotty point in politics. The crowd arrested the combatants, and while conducting them to the magistrates, the barber escaped and ran home. Hayes, still in their custody, was roughly charged by one John Leach with having drawn a pistol upon a white man.

"You lie if you say that," was the indignant reply of Hayes.

"Do you call me a liar?" retorted Leach.

"Yes, you or any other man who says I drew a pistol or carry one."

As he said this, the crowd released Hayes, and he walked down the street to a barber shop, where he was followed by Leach, who seized him by the collar with one hand, and drawing and cocking a pistol with the other, repeated the question, —

"You drew a pistol upon a white man, did you?"

Hayes again replied in the negative, and raising his arm said, —

"Search me, if you think I have any weapons. My fuss was with a colored man, not with you. I don't want anything to do with you." As he turned to release himself from the grasp of Leach, that ruffian, aiming at his heart, said, —

"If you open your mouth again, I'll kill you," and instantly fired, the ball entering the left side, below the breast. Hayes lived about an hour.

On being apprised of the affray, X. Beidler hastened to the spot to arrest Leach. A crowd of roughs stood around to protect him, but Beidler, pistol in hand, at the risk of his life, pushed his way through it, and seizing Leach by the collar, secured him with handcuffs and led him to jail. Knives had been drawn in the *mêlée* by Leach's friends. A deadly blow had been aimed at Beidler by one Bill Hynson, which he evaded, by the dexterous use of his right arm.

After the man was in prison, and quiet restored, Hynson sought out Beidler, who was then, as now, a terror to the roughs, and said to him, —

"X., I saved your life. I knocked off the blow just in time."

Comprehending the object of this salutation, X. replied dryly, —

"I'm all right now, and much obliged to you. I suppose you saved my life."

Hynson, mistaking the irony for sincerity, followed it up by a request that Beidler would use his influence to get him a position on the police force of Helena. Beidler gave him no encouragement, and a few days afterwards he told Beid-

ler he had got a better thing and did not wish the place.

From the meagre description given by Hanson of the man he saw in company with the China-woman, during the evening preceding her murder, Beidler's suspicions fell upon Hynson. He watched him narrowly, but could find no clew.

A day or two after the murder, at a very early hour in the morning, Beidler, in pursuit of circumstances to justify his suspicions, abruptly entered an old, deserted building, which a lot of loafers and roughs had appropriated for sleeping purposes. The floor was covered with their blankets, and the sudden presence of Beidler among them at so early an hour caused great consternation. They crept from their covers, and exchanging hurried glances with each other, as if to inquire, "Which of us is this day a victim for the dry tree?" fled from the building like rats from a sinking ship. Hynson was among the number. In the hurried observation he had taken of the room, Beidler saw, lying beside Hynson under his blanket, a Henry rifle, which by the initials on the stock he recognized as Claggett's. After the room was deserted, he returned to it, and seizing the rifle sent it to its owner by the next express.

Hynson missed the rifle. Meeting Beidler the next day, he inquired if he had seen it.

"Yes," replied X. "Whose is it?"

"Mine," said Hynson defiantly.

"Yours!" rejoined X. sternly. "How came you by it? You have seen the initials on the stock. Don't you know whose it is?"

Seeing that Beidler was not to be deceived, Hynson, after some prevarication, acknowledged that he took the rifle from the coach.

"I thought," said he, "I might as well have it as any one."

This admission of guilt would have been followed by Hynson's immediate arrest had not Beidler hoped by delay to find some evidence against him of murder. The negro Hanson had, in the mean time, seen Hynson. He told Beidler he resembled the man he saw at the house of the China-woman. Beidler hesitated no longer, but at once arrested Hynson for stealing the rifle, intending to keep him in custody until satisfied of his guilt or innocence of the higher crime. Impatient of this restraint upon his liberty, Hynson daily vented his wrath upon his keepers.

"As soon as I get out," said he to John Fetherstun, "I intend to kill you. Only give me the chance, and see how quick I'll do it."

John laughed, dismissing all his threats with some axioms less complimentary to his courage than his bravado, such as, "You crow well," "Barking dogs seldom bite," etc.

Beidler soon became satisfied that no evidence could be found sufficient to convict Hynson of murder, and the stealing of the rifle in a community where higher crimes were committed daily with impunity did not call for heavier punishment than the thief had already received. So Hynson was released. As Fetherstun opened the door of the prison for him, he said, —

"Have you got a six-shooter?"

"No," replied Hynson.

"Then I'll give you one, and you can turn loose," at the same time drawing a revolver from his belt and offering it to him. Seeing that Hynson hesitated, he immediately added, "Take it. It will give you the chance you've been looking for so long."

Hynson declined taking it, saying, —

"I was in jail and feeling bad when I said that. You've always been kind to me. I've got nothing against you, and don't want to hurt you, but I'm going for X., sure, — the man that put me in here."

X. needed no protector, especially when warned.

No man could draw and fire a pistol with deadlier aim or greater rapidity, and so Hynson found no opportunity of putting his threat into execution.

In the spring of 1868, Beidler, on his return to Helena from the Whoop-up mines, spent a few days *en route* at Benton. The steamboats from St. Louis were daily arriving with freights, which from this point were conveyed in teams to all the towns and mining camps in the Territory. Hynson, who had hired as a teamster to Scott Bullard, a heavy Helena freighter, was on his way to Benton. Learning that Beidler was there, he frequently in conversation avowed the intention of shooting him on sight. As the train approached Benton, Bullard rode into town in advance of it, and apprised Beidler of his danger.

The day after the arrival of the train, Hynson and Beidler approached each other in the street. The former extended his hand in a friendly manner, which Beidler seized with his left hand, keeping his right in reserve for the use of his pistol.

"I am told," said Beidler, "that you have come here to kill me."

"I kill you!" said Hynson, in well-affected surprise.

"Yes, you," said Beidler, dropping the hand he held; "and if you wish to try it, you'll never

have a better chance. If that's what you want, you can't pull your pistol too quick."

Hynson glared at the little, athletic man who confronted him so boldly, and saw in those burning eyes and that steady muscle not the smallest trace of fear.

Seizing Beidler again by the hand, he said in hurried tones, —

"X., I did make a fool of myself when drunk in camp with the boys, in some remarks relating to you, but I didn't mean it. I don't want to hurt you, and never did. Now, let's be friends."

Beidler, who had no other feeling than contempt for the bragging poltroon, listened in silence to what further he had to say.

"I want you," said Hynson, "to aid me in getting the position of night-watchman in this city."

X. replied to this request in general terms, and, turning on his heel, left Hynson, who afterwards, by some means which X. could not fathom, received the appointment he desired.

Before leaving Benton, X. received a letter from Silver Bow requesting him to watch for and arrest a person who had stolen a lot of nuggets and jewelry, and gone from that place to Benton. Called suddenly away by more important business, X. intrusted Hynson with this service, who caught

the thief and recovered the property, which he appropriated to his own use, pawning the jewelry for a sum of money, which was soon squandered. When X. returned, Hynson, with much difficulty, redeemed most of the jewelry, which Beidler returned to the owner.

About this time Beidler, as deputy United States marshal, made a seizure of some contraband goods. One Charles Williams was an important witness in the case. The court was held at Helena, one hundred and forty miles distant from Benton. Beidler discovered that the defendant and his friends had a plan on foot to prevent Williams from going to court, which he determined to forestall. He met Williams by appointment a couple of miles from town, furnished him a horse, a Henry rifle, and ten dollars in money, and directed him to ride with all possible despatch to Helena, he intending to follow in the coach, which was to leave in a few hours. Beidler saw nothing of his witness on the route, but, as he had told him to avoid the road the first day as much as possible, this occasioned no surprise; but when the second and third days passed without his appearance, he feared some accident had befallen him. The day after his arrival at Helena he received information that the horse had been found hitched to a post

in Benton, with the saddle and gun on his back, and that Williams had been hanged. Beidler returned to Benton and secured his property. In a confidential conversation with Hynson he learned that before the execution of Williams was completed he was cut down, taken by his captors below Benton, placed upon a raft in the Missouri, and upon his promise to leave and not return to the country, permitted to escape with his life. This story, discredited at the time, was confirmed by Williams himself four years afterwards.

Hynson's participation in this high-handed outrage, while acting as a conservator of the peace, roused public indignation against him. A few days afterwards he provoked a dispute with Mr. Morgan, the sheriff, and slapped him in the face. One trouble followed another, until, in the summer of 1868, a Mr. Robinson was knocked down and robbed in the street, and the circumstances all pointed unmistakably to Hynson, the night watchman, as the aggressor. As there was no positive proof of his guilt, he was suffered to retain his position without molestation.

On the morning of the 18th of August, the same season, Hynson was observed to convey to a spot on the prairie, a mile or more distant from town, three pine-tree poles about twelve feet long

and four inches in diameter. Tying one end of these three poles securely together, he raised them up in the form of a tripod. When they were stationed in a substantial manner, and to his liking, he went to a store and purchased a small coil of rope.

"What is the rope for, Hynson?" inquired a bystander.

"To hang a man with," was his reply.

The listeners understood this as a joke, and dismissed the subject with a laugh.

Hynson next employed a negro to go out and dig a grave near the tripod.

"Who's dead, Massa Hynson?" inquired the man.

"Never you mind," replied Hynson. "Go ahead and dig the grave. I'll furnish the corpse."

The negro obeyed, and the grave was in readiness at nightfall.

The next morning the lifeless body of Hynson was found suspended from the tripod by the rope he had prepared.

The citizens flocked in crowds to the spot. Among them was the negro who dug the grave. When he saw the swaying form, and had scrutinized the ghastly face, he exclaimed, —

"'Fore God, dat's de gemman dat tole me

to dig de grave, and said he'd furnish de corpse."

After the body was cut down, there was found in a pocket the following letter from the mother of Hynson : —

"My dear Son, — I write to relieve my great anxiety, for I am in great trouble on your account. Your father had a dream about you. He dreamed that he had a letter from your lawyer, who said that your case was hopeless. God grant that it may prove only a dream! I, your poor, broken-hearted mother, am in suspense on your account. For God's sake, come home."

CHAPTER XXI.

JAMES DANIELS.

CAREER IN CALIFORNIA — MURDER OF GARTLEY — ARRESTED BY THE VIGILANTES — TRIED BY COURT AND FOUND GUILTY OF MANSLAUGHTER — SENTENCE — PARDON — HUNG BY THE VIGILANTES — VIGILANTES IN THE WRONG.

OF the early history of this individual I know but little, and but for circumstances attending his "taking off," should not trouble my readers with any notice of him. That he was hardened in vice and crime, and, possibly, was one of the worst of all the ruffians whose careers I have passed under review, will hardly admit of a doubt, when the reader is informed that he murdered one man in Tuolumne County, California, and was only prevented by want of agility to complete a race, from killing another. His appearance in Helena, and the commission of the crime for which he lost his life, were almost consentaneous. In a quarrel incident to a game of cards, near Helena, he stabbed and instantly killed a man by

the name of Gartley. He was immediately arrested by the Vigilantes, who surrendered him to the civil authorities. On his trial for murder, circumstances were proved, which, in the opinion of the jury, reduced his crime to manslaughter. Judge Munson sentenced him to three years' imprisonment in the territorial prison. After a few weeks' confinement, a petition for his pardon, signed by thirty-two respectable citizens of Helena, was also presented to acting Governor Meagher, who, under a mistaken sense of his own powers, issued an order for his release. The right to pardon belonged exclusively to the President. Judge Munson went immediately to the capital to show the law to the Executive, convince him of his error, and obtain an order for the re-arrest of Daniels. Meantime, that individual, uttering the most diabolical threats against the witnesses who had testified against him, found his way back to Helena; and before the judge could effect his object with the governor, in fact, on the night succeeding the day of his arrival in Helena, Daniels was arrested by the Vigilantes and hanged.

As I have endeavored to justify, in all cases where I deemed the circumstances warranted it, the action of the Vigilantes in taking life, so, as

such circumstances were not apparent in this case, do I deem it a duty to say that they committed an irreparable error in the execution of this man. However much, by his threats and reckless conduct, he may have deserved death, they had no right to inflict it. If he had been wrongfully pardoned, he could easily have been re-arrested. He was a single individual in the midst of a populous community, warned by his threats of his designs, which could easily have been thwarted by arresting him, or by setting a careful watch over his actions. No excuse can be offered for the course that was pursued. This, at least, was one case where the Vigilantes exceeded the boundaries of right and justice, and became themselves the violators of law and propriety.

I was at that time a member of the Executive Committee of the Virginia City branch of the Vigilante organization, and that Committee disavowed all responsibility for the execution of Daniels, and expressed its disapproval of that act, which, it was believed, did not have the official sanction of the Executive Committee of Helena, but was regarded as the unauthorized act of certain irresponsible members of the organization at Helena.

And I will here take occasion to say that this

was not an isolated instance. Under the pretence of Vigilante justice, after the establishment of courts of justice in Montana, and when many of the respectable citizens of the Territory had virtually abandoned the order, a few vicious men continued occasionally to enforce its summary discipline. Several individuals were hanged who had been detected in stealing horses, several for giving utterances to threats of vengeance, and several on mere suspicion of having committed crime. As soon as this order of things was understood by the people, the Vigilanté institution was brought to an end, and the men who had misused its powers were given to understand that any further employment of them would probably cause it to re-act upon themselves. These abuses had not been frequent, and when discovered were promptly terminated.

CHAPTER XXII.

DAVID OPDYKE.

EARLY LIFE OF OPDYKE — HIS WANDERING AND SUCCESS IN MINING — APPEARANCE IN BOISE CITY — PUBLIC SUSPICIONS — HIS STABLE HEADQUARTERS FOR THE ROUGHS OF THE TERRITORY — HISTORY OF PARKS — HIS MURDER AND ROBBERY BY THE "OPDYKE GANG" — OPDYKE'S COMPLICITY IN THE PORT-NEUF ROBBERY — FRANK JOHNSON — BEECH — HANK BUCKNER THE MURDERER OF BROWN — HIS MYSTERIOUS ESCAPE FROM MONTANA — APPEARANCE IN IDAHO — NEIL HOWIE SENT TO RETURN HIM TO MONTANA — FAILS — OPDYKE ELECTED SHERIFF — CONTEMPLATES DESTRUCTION OF PAYETTE VIGILANTES — HUMILIATING RESULTS — IS A DEFAULTER AND PROSECUTED — PAYS THE DEFALCATION — THREATENS GRAND JURY — INDIAN EXPEDITION — OPDYKE LEADER — ADEN'S PACK TRAIN — OPDYKE CLAIMS IT, AND IS DEFEATED ON RAYMOND'S TESTIMONY — CLARKE SHOOTS RAYMOND — IS HUNG BY THE CITIZENS — VENGEANCE THREATENED BY THE "OPDYKE GANG" — VIGILANT MEASURES OF CITIZENS — ROUGHS DISAPPEAR — OPDYKE AND DIXON LEAVE BOISE CITY — ARE FOLLOWED BY VIGILANTES AND HUNG — BREAKING UP OF THE "GANG."

THIS man, on some accounts the most noted among the roughs of Idaho, was of patrician

origin, — the degenerate scion of a family which boasted among its members some of the leading citizens of New York. He was born in the vicinity of Cayuga Lake, New York, about 1830, and could not have been more than thirty-six years of age at the close of his infamous career. He went to California in 1855, where, for want of more congenial occupation, he was employed for two years by the California Stage Company as a stage driver. Thence, in 1858, he sailed to British Columbia, but finding no business there suited to his tastes, returned the same year to California, spending two unprofitable years in Yuba county, and two years succeeding in Virginia City, Nevada. Excited by the intelligence from the Northern mines, in 1862 he went to Florence and Warren in Idaho, and the fall of that year found him in Boise county, where he located and worked a valuable claim on the Ophir. In 1864, with an accredited fortune of fifteen hundred dollars, he removed to Boise City and bought a livery stable in the centre of the town, which is still pointed out to visitors as having been the rendezvous of one of the most reckless and numerous bands of robbers and road agents in the mountains.

Opdyke's associations were bad, and he was suspected of aiding in the circulation of spurious

gold dust, at that time an extensive business with the roughs of the country. His stable soon became the headquarters of all the suspicious characters of Boise, Owyhee and Alturas counties. From these and other circumstances, the public was prepared to believe that all the thefts and robberies occurring in the country were committed by persons connected with the "Opdyke gang," but so careful were they to cover their tracks, no positive evidence could be found against them.

A gentleman by the name of Parks went from Cincinnati, Ohio, to Baker county, Oregon, in 1862, where he was elected sheriff. He was very much respected. Early in the fall of 1864, he went to Idaho, and in Owyhee county purchased and located claims on several quartz lodes, specimens of which he selected to exhibit to his Eastern friends, and packed carefully in a valise. Coming to Boise City, preparatory to his departure for the States, he passed through the streets with the heavy valise in his hand, which, being observed by some of the "Opdyke gang," was supposed by them to contain a large quantity of gold dust. He remained in Boise four or five days, and was narrowly watched by the roughs.

On the morning of his departure, at three

o'clock, several of the robbers left by a trail, and coming up with the coach seven miles east of the city, caused the driver to stop, fired upon Parks, rifled his pockets of two or three hundred dollars in money, and departed with the much-coveted valise. Their chagrin at finding it to contain mere quartz specimens, may be better imagined than described. Parks returned in the coach to Boise, and died in less than a week of his wounds. He was buried by the Masons. No clew to his murderers could be found at the time; but in some of the criminal developments made afterwards, it was ascertained that Charley Marcus and three others of the "gang" were directly concerned in the attack.

The next murderous outrage in which the "Opdyke gang" was concerned, was the murder and robbery of five coach passengers from Montana, in Port-Neuf cañon, in the summer of 1865. It is now known that Opdyke furnished arms and ammunition for the party from Idaho, which engaged in this expedition, and shared in the booty. Seven or eight of his gang left Boise at the time, and were joined at Snake river by an equal party of Montana roughs, who participated with them in the robbery. Frank Johnson, ostensibly the keeper of a public-house eight miles below Boise

City, was one of the confederates in this crime. His house was long a rendezvous for robbers, and his partner Beech kept a similar meeting-place at the Overland Ferry on Snake river. Beech was hung by the Vigilantes in Nevada in 1865. Johnson eluded the pursuit of the Vigilantes, fled to Powder river, Oregon, where he was arrested by Captain Bledso, Wells, Fargo and Company's messenger, on a charge of stealing horses. Found guilty on his trial, he was sentenced to ten years' imprisonment in the Oregon Penitentiary.

Soon after the Port-Neuf robbery, information was given to the Montana authorities, that one Hank Buckner, an escaped murderer from that jurisdiction, had turned up in Idaho, and was living in Boise City. In the fall of 1863, Buckner, in a dispute with one Brown in the Madison valley, drew his pistol and shot him. Buckner was arrested, examined in Virginia City, and placed in custody of the sheriff, from whom, by means never made public, he escaped. The sheriff, a very respectable man, was examined by the Vigilantes, and acquitted of blame in the matter; but the story he told, which was positively credited by the Vigilantes, ought to have led to further investigation, as it implicated others.

Governor Green Clay Smith sent Neil Howie to Idaho, with a requisition upon Governor Lyon for the delivery of Buckner to the Montana authorities. The "Opdyke gang," of which Buckner was one, concealed the fugitive, on Howie's arrival, in Dry creek, ten miles distant from Boise City. Reenan, the sheriff of the county, found and arrested him. Governor Lyon being at Lewiston, Buckner was examined, and despite the efforts of his friends, who flocked in hundreds to his defence, was ordered by the magistrate to be confined in jail in Idaho City, until an order for his surrender could be obtained. Before this could be received, a writ of habeas corpus was issued by the probate judge of the county, and Buckner was released on straw bail. Howie, seldom thwarted, as we have seen in earlier portions of this history, returned to Montana, greatly crestfallen, without his prisoner. Buckner, who was believed to have been a leader in the Port-Neuf robbery, is still at large.

At its session of 1864–5, the Legislature of Idaho set off and provided for the organization of Ada county, appointing the election of officers in March, 1865. The "Opdyke gang" was a strong power in the Democratic party. At its request Opdyke was nominated for sheriff, and by a

party vote largely in the ascendant, elected by a small majority. Soon after his election, under a pretence of official duty, he avowed the intention of breaking up a Vigilante organization of about thirty persons, which had been formed in the Payette river settlement, thirty miles from Boise City, for the purpose of freeing their neighborhood from two or three horse thieves and manufacturers of spurious gold dust. The Vigilantes were a great terror to the roughs, and interfered with all their unlawful and bloody plans for money-making. In pursuance of this design, Opdyke and his coadjutors had in some mysterious manner obtained the names of all the Vigilantes, and procured a warrant for their arrest. The proceedings, to all outward seeming, were to be conducted in legal form; but in making the arrest, Opdyke and his *posse* proposed to shoot the leaders of the Vigilantes, and screen themselves under the plea that they had resisted. It was arranged that fifteen or twenty of the "Opdyke gang" would leave Boise City, armed with double-barrelled shot-guns and revolvers, and unite at Horse-shoe Bend road with as many more from the country, similarly equipped. They would then proceed with their warrant to the settlement, and, by stealing a march upon the citizens, easily effect their diabolical purpose.

Intelligence of their plan came to the ears of the citizens of Boise City. They secretly despatched a messenger to the Payette Vigilantes with the information. The thirty members of that order armed and assembled at once in self-protection. Opdyke, at the head of fifteen of the worst men in the Territory, whom he had summoned as a *posse comitatus*, left Boise City at four o'clock P.M. to make the arrest. The party from the country failed to connect with him, and his party marched down alone. The Vigilantes, numbering two to one of his band, met him. They were quite as determined as their opponents. Surprised at the preparation they had made to resist him, Opdyke held a parley, and was obliged to comply with all the terms prescribed by the Vigilantes. These were, that they would march to Boise City and answer the warrant, but they would not allow Opdyke to disarm them or "get the drop" on them. By the aid of counsel, the complaint against them was dismissed, and they were discharged, thus bringing to a humiliating conclusion a deep-laid conspiracy against the lives of some of the best citizens of the Territory. Nearly all the Vigilantes had been partisans of Opdyke, and of course, after this manifestation of his hostility, were very bitter in their opposition to him.

Soon after this the county commissioners ordered the district attorney, A. G. Cook, to institute criminal proceedings against Opdyke for permitting a criminal to escape, and also for embezzlement, they having discovered that he was a defaulter to the county in the sum of eleven hundred dollars. Cook, however, resigned his office. A. Hurd, who was appointed to succeed him, prepared indictments which were sustained by the grand jury on both charges. Opdyke paid the amount for which he was a defaulter, and resigned his office, and the prosecutions were withdrawn. He, however, swore that he would be bitterly revenged upon the grand jury, which, being composed chiefly of men of his political faith, ought, he said, to have saved him, right or wrong, out of party consideration. The grand jury held a meeting, and sent to him to ascertain his intentions. He was glad to escape further molestation by disclaiming all hostile designs against them.

Early in March, 1865, the citizens of Southern Idaho fitted out an expedition against the marauding bands of Indians which, for some months previous, had been engaged in predatory warfare in that part of the Territory. Opdyke, as leader, with thirty of his gang, volunteered. Money,

provisions, horses, and other equipments were furnished by the people. A man by the name of Joseph Aden was employed to pack the stores, for which purpose eleven ponies were provided and placed in his charge, with the understanding that he should receive them in part payment for his services. In pursuance of that agreement, he immediately branded and ranched them.

Among the volunteers was a young man of nineteen, by the name of Reuben Raymond. He had performed faithful service in the Union army, and was just discharged at Fort Boise. He was quite a favorite with the people, and, though necessarily intimate at this time with the "Opdyke gang," was perfectly honest and trustworthy. The expedition ran its course, and, like all expeditions of the kind, was barren of any marked results. Opdyke *cached* a large portion of the stores on Snake river for the future use of his road agent band; and the roughs, all the more daring and impudent for the confidence the people had reposed in them, became a greater burden to the community than ever.

Aden turned his ponies out on the commons on the south side of Boise river, claimed as a ranche by Opdyke and one Drake, — the latter assuming to exercise a sort of constructive owner-

ship to the land. Designing to swindle Aden out of his property in the ponies, Opdyke told Drake not to surrender them to Aden except on his written order. Aden employed attorneys and got possession of the ponies. Opdyke caused his arrest for stealing; and Aden, leading his ponies, which he hitched in front of the justice's office, appeared for trial. He was discharged, and the crowd dispersed; but Opdyke's attorney remained, and persuaded the magistrate to issue an order for the surrender of the ponies to his client. Opdyke and his friends took them away, and they were never seen in Boise City afterwards.

Aden commenced a suit against Cline, the justice, for damages, and recovered a judgment of eight hundred dollars, which Cline was obliged to pay. Cline resigned his office. At Aden's examination, Reuben Raymond had sworn to the identity of the ponies, which was disputed by nearly all the roughs in the expedition, and it was almost solely on his testimony, that Aden was discharged. The "Opdyke gang" were very angry with him; and on the morning of April 3, 1865, a few days after the examination, while Raymond was employed in a stall in Opdyke's stable, John C. Clark, a noted rough, stepped

before the stall with his revolver in his hand, and commenced cursing Raymond. Opdyke and several of his associates, together with a number of good citizens, were standing near. Clark finally threatened to shoot Raymond.

"I am entirely unarmed," said Raymond, at the same time pulling open his shirt bosom, "but if you wish to shoot me down like a dog, there is nothing to hinder you. Give me a chance, and I will fight you in any way you choose, though I have nothing against you."

Clark covered Raymond for a moment or more, with his pistol, and then with an opprobrious epithet, said, "I will shoot you, anyway," and, taking deliberate aim, fired, and killed Raymond on the spot. This murder produced the wildest excitement, and Clark, who had been immediately arrested, was taken out of the guard-house the second night afterwards, and hanged upon an impromptu gibbet between the town and the garrison. Threats of vengeance were publicly proclaimed by the "Opdyke gang;" Opdyke himself improving the occasion to tell several of the grand jury men, who had found the indictment already mentioned against him, that they would not live to walk the streets of Boise City many days more. It was also reported that the roughs

intended to burn the city, and not leave a house standing.

The citizens, fully aroused to the dangers of the crisis, organized a night patrol. Every inhabitant of the city was armed, and all co-operated for the purpose of clearing the country of every suspected person in it. While plans were maturing for this purpose, the roughs became uneasy, and one after another began to disappear until but few remained. Opdyke took the alarm for his own safety, and on the 12th of April, accompanied by John Dixon, a notorious confederate in crime, departed by the Rocky Bar road, and brought up at a cabin thirty miles distant. A party of Vigilantes followed in close pursuit. They captured him during the night, and conducting him ten miles farther on the road to Syrup creek, hanged him under a shed between two vacant cabins, on the following morning. His companion Dixon, who was caught on the march, was hanged at the same time.

When this intelligence became known in Boise City, every suspicious character disappeared, and the vilest gang of ruffians in Idaho was effectually broken up. Opdyke had many friends, and was naturally a man of genial qualities, but he had become corrupted by the evil associations contracted in Idaho Territory.

It was believed by many, at the time of Opdyke's execution, that he was hanged for his money by some of the employes of the Overland Stage Company. This, however, was a mistake in his case. The Vigilantes of Boise City had determined upon his death before he left the city, a measure they deemed necessary to rid the country of his associates, and establish peace in the community.

It was true, however, that some of the Overland Stage Company's employes were justly suspected of robbery and murder. On one occasion, two miners from Boise City, returning to the States, indiscreetly exhibited a large quantity of gold dust at Gibson's Ferry on Snake river, which exciting the curiosity of some of the observers, they were arrested on a pretence of having spurious gold dust, and hanged by some half dozen of the stage company's employes. Their bodies were burned, but no account was ever given of the gold dust. No one was deceived as to the character of this act. It was the cold-blooded heartless murder of two honest miners for their money who were returning to their homes with their hard-earned savings. This was the popular judgment.

CHAPTER XXIII.

SAN ANDREAS IN 1849.

San Andreas — The Mexicans — Disappearance of Captain Ben Osborne — The Fonda — Mexican Prospecting Party — Pursuit — The Mexican Camp surrounded — Examinations — The Cuban — A Pathetic Appeal — Successful Ruse — Confession — Return to San Andreas — The Fonda deserted — Discovery of the Body of Captain Osborne — Escape of his Murderers.

"We took no great amount of stock in the Mexicans in 1849, I can assure you," said Judge T——, as he seated himself to comply with my request to tell me a story of early days in the California gold placers. "They were a thieving, cunning, bloodthirsty set of gamblers and cutthroats. An honest man was an exception among them. And they did not like us. We had just whipped them, taken California from them, found it full of gold, and were filling it up with an enterprising, intelligent population. We suffered immensely from their depredations. Every good

piece of horse-flesh we brought into the country was sooner or later stolen by them, and seldom, if ever, restored to us. They would rifle our flumes, and had a knack of appropriating our property which seemed to elude all our means of detection. Occasionally, some of our companions would disappear very suddenly. We knew that they had been secretly stabbed or shot by some of these 'Greasers,' but it was the merest chance that ever led to any discovery. Of course, whenever our suspicions lighted upon one of them, it generally went hard with him. He was fortunate to escape with his life, to say nothing of the marks which sundry whippings, and chokings, and croppings had indelibly inflicted upon his carcass. As I look back to those days now, I think we sometimes made mistakes; but then, the aggravation was very great, and if both sides could be summed up I don't think that it would be much more than an even thing between us. There was no law but such as we made. Every man carried his life in his hand, and I believe that we did, all things considered, the best that could be done.

"The Mexicans excelled us in mining. They had learned the signs before they came here. We had them all to learn. They were making new and valuable discoveries daily; if we made any it

was by accident. They would start out under cover of the night, and the next morning, perhaps, be in possession of an inexhaustible placer. We would sometimes try the same game, and be most provokingly humbugged. This was so often the case that we gradually lost all faith in our gold-seeking sagacity. But we had come to California to find it, and were determined not to be thwarted, so we watched and followed the Mexicans. They were very close, and we had to resort to a great many devices to keep ourselves informed of their movements.

"San Andreas was originally a Mexican camp. It sprung up like a mushroom, in a single night. There were thousands of Mexicans and Americans in it in less than two weeks after its discovery. I was with a company at work upon a gulch near there, but it did not pan out to suit us. We were waiting, Micawber-like, for something to turn up. It was early in the winter of 1851–2. One of our men came into the camp late in the afternoon with the information that a party of Mexicans were to leave San Andreas at a late hour that night, to go to a new placer which had just been discovered, and reported to be very rich. Now was our time. If we could follow them without being discovered, we could secure claims for our-

selves. We had been told that David Latimer, better known as 'Dad,' was going with the Mexicans, and would furnish them with some horses and provisions.

"After a brief consultation, it was agreed that nine of us should go to San Andreas after dark, and station ourselves without the town, on different sides of it, to watch the departure of the Mexicans, and those of us who happened to be on the side where they left should follow them quietly to their place of destination. It was quite dark when we separated, Captain Jim Box, John Harris, and Charley Bray to go to the north side of the town; Captain Gilson and myself to the south side; Ned Morgan and Herbert Ide to the east side; and Frank Forest and Joe Abbott to the west side. The hours of watching were very long. The night stole on into the 'wee sma' hours,' and we begun to think we had been hoaxed. Some of our number were only restrained from returning to camp by the consideration that they might thus lose a better opportunity to win their stake than would ever again offer. Just as Box and his companions were on the point of giving up, at two o'clock past in the morning, along came the Mexicans near where they were seated. There were twenty-five or thirty of them. They moved along as

noiselessly as possible, with Box and his friends as noiselessly in pursuit. After they had travelled in this manner some three or four miles, the Mexicans became hilarious, and indulged in loud conversation, shouting, and singing. It was starlight, and our friends were careful to keep far enough in the rear to avoid observation. Suddenly they heard voices behind them, announcing the rapid approach of another party. With all convenient speed they concealed themselves by the side of the road until it passed. Two of the Mexicans, while passing the spot where Box was hidden, were overheard by him to hold the following conversation in Spanish: —

"'If they discover us, we must kill the first man that comes into camp.'

"'Yes,' replied the other, 'but they can kill too.'

"'I know, but we have commenced the game already.'

"'What do you mean?'

"'We've put one of the cursed Gringos * out of the way.'

"'What Gringo?'

"'I don't know more than that he was a captain at the battle of Monterey.'

* Americans.

"'What have you done with him?'

"'He lies buried in a tent in San Andreas.'

"'Do you hear that, boys?' whispered Box to his companions, — 'they've been killing one of our men.'

"Ben Osborne, a favorite of all our boys, had been missing for several months. He had been a soldier in the Mexican war, was a great braggart, a free drinker, and remarkably fond of women. He had a habit of fighting his battles over when in his cups, and nothing afforded him more pleasure at such times than to relate within hearing of the Mexicans his feats of valor at Monterey. The dark scowls and sinister glances with which they would listen to him, afforded him great delight. He had a way of illustrating his prowess by gesticulations and grimaces that were particularly offensive to them. His friends used to warn him of the consequences of his ill-timed mirth, but Ben would laugh at their fears, and improve the next opportunity that offered for repeating it. He had done it on so many occasions that, among the Mexicans, he was known and designated only as the 'Captain in the battle of Monterey.'

"There was in San Andreas a *fonda* or restaurant kept by a Chilano man and woman. They

prepared a dish composed of red pepper and beef, called *chili concarney*, of which Ben was very fond. The sparkling black eyes and beautiful form of the hostess had for him a peculiar fascination. He used to spend many of his evenings at this *fonda*, flirting with its mistress, playing monte, drinking, and feasting upon *chili concarney*. He went there one evening early in December, 1850, and was never afterwards seen alive. It was known that he had upon his person three hundred dollars or more in gold dust. Diligent search was made for him by his friends, who suspected he had been roughly dealt with, but he could not be found. Their conjectures concerning him were unsupported by proof, and poor Ben was nearly forgotten when the conversation was overheard, disclosing the fact that he had been murdered.

"Our boys forgot their desire to find a gold placer in the paramount wish which instantly possessed them to discover the murderers of their old comrade. They made careful observation of the outfit belonging to the two Mexicans whose conversation had revealed the crime. One of them led a pack-horse which they recognized as Dad Latimer's; the other, a black donkey. Just before daylight, the Mexicans halted in the neighborhood

of McKinney's Humbug, near the source of Murray's creek. Our boys fell back a mile or more, and hid themselves. After breakfast, Charley Bray returned to our camp with a note from Box to Talifero, informing him of the discovery they had made. Talifero and three or four others spread the intelligence through all the neighboring placers on Calaveras river, and raised a company of forty or more volunteers to go and see Box. These men, all well armed, met at Henry Shroebel's store in San Andreas, at ten o'clock at night. After consultation as to the course proper to be pursued in the investigation they were to make, they left at half-past eleven, under the guidance of Charley Bray, for Box's camp, and arrived there early the next morning. Among the number whom I well remember, were Knapp, Broughton, Talifero, Captain Gilson, John Morrison, Ned Morgan, Herbert Ide, and Joe Abbott.

"It was arranged that Talifero, Box, and Harris should visit the Mexican camp, and the remainder of the company await from a hill overlooking it, the firing of a gun as a signal to join them. Five or six Mexicans were engaged in cooking and preparing breakfast, and the others were just emerging from their blankets,

when our three boys made their appearance. They soon recognized several as old acquaintances, to whose inquiries as to their business, they replied that they were prospecting. There were seemingly two parties of Mexicans, camped about two hundred yards apart. After a careful scrutiny of the men, Box came upon one whom he thought he could identify as the chief speaker in the midnight conversation. He stepped aside, and under the pretence of killing a bird for breakfast, fired his gun. A moment afterwards, thirty-eight armed men were seen rapidly descending a steep declivity into the camp. An expression of mingled surprise and fear sat on every Mexican face, upturned to witness the approach of the little company, as it defiled around and enclosed the camp with a regular picket-guard.

"'It is my duty,' said Talifero, addressing the astonished groups, 'to inform you that you are all under arrest. A great crime has been committed. We are in pursuit of the perpetrators of it, and have satisfactory reasons for believing they are in this camp.'

"For a moment the silence succeeding this charge was deathlike. The men exchanged terrified glances, and seemed to know not how to reply. At length one after another began to pro-

test his innocence, and as, next to murder, horse-stealing was in those days deemed the greatest of crimes, and was the one for which the Mexicans were especially noted, they severally declared their innocence of it, and claimed to be hard-working, honest miners. These proceedings at the first camp were suddenly arrested by a loud halloo from John Harris, who, while they were in progress, had visited the other party, and found Dad Latimer's horse and the black donkey. Satisfied that they had arrested the wrong party, our boys apologized, and immediately withdrew to the other camp, where the scene which had just transpired was acted over again.

"Talifero now undeceived them as to the nature of the crime. 'We have no charge against you of horse-stealing,' said he, 'but one of our comrades has been murdered, and either his murderers, or persons who know them, are in this company, and we are determined to find them and bring them to justice.' The prisoners, nine in number, were then disarmed, formed in a line, with their hands bound behind them, and under the close escort of our boys, marched off in the direction from which they came the day before. The other party of Mexicans offered their assistance, which was declined. Our object being to find

both the murderers and the remains of our comrade, we had to resort to the following expedient. Arriving at the junction of three small streams in the mountains, which were separated by low, hilly ranges, we improvised a tribunal, before which the prisoners were placed in line and addressed in Spanish by Captain Gilson.

"'You are,' said he, 'very near the end of your earthly career. We have positive evidence that some of your number either killed Ben Osborne, or know who did it. He was our friend, and greatly beloved by us. One of the men now before me was overheard, at midnight, while you were on your way here, to relate to another the circumstances of his murder. He said that it took place at a restaurant in San Andreas. With the certain proof that the knowledge of our friend's murder is in your keeping, we have determined to put you all to death, with this single exception, — the man who will tell us how, when, where, and by whom he was killed, and where his remains can be found, shall escape. To this we pledge our honor.'

"Some four or five of our boys, at the commencement of these proceedings, went over the hill which separated the creek on which we were from the one next to it, to prepare a scaffold.

Every movement was made with a view of impressing the prisoners with the seriousness of our intentions. When Gilson concluded his address, an intelligent-looking young man, apparently not more than twenty-four, was asked what he had to say in reply to the charge. His form quivered with emotion, and large tears fell from his eyes, as he gave utterance to the following remarks: —

"'Gentlemen, I am a Cuban. I was born in Havana, where my parents still reside. From the moment that I heard of the discovery of gold in California, I determined to come here in pursuit of fortune. My parents and friends opposed my wishes. They warned me of the dangers I should incur, and, among others, mentioned the very one which, it seems, is now to cost me my life. It was after long and ceaseless persuasion that I obtained their consent to come here, and it was finally given with the greatest reluctance, and accompanied by the most gloomy forebodings. When I bade my mother farewell, she hung upon my neck, protesting that if I went she would never see me more. Alas! her predictions are likely to prove too true.

"'And yet, gentlemen, upon my honor and conscience, I know nothing of this crime. It is only ten days since I came to San Andreas. Previous to that, I was a clerk for several months in Mr.

Sanderson's store at Stockton. While there, I made the money which brought me here, and I came here because of the favorable reports in circulation regarding the placer.

"'I am a Spaniard, and speak only the Spanish language. The very little that I know of your tongue I have learned since I came here. Naturally, I sought for associates among those with whom I could converse, and they were Mexicans. I have been well raised — taught to fear God and live honestly, and have ever tried to do so. This is the first time I was ever accused of crime. It is hard, gentlemen, that I should suffer for the crime of another, and that my name and memory should be blackened with so infamous, so terrible a charge as that of taking the life of a fellow-man. Gentlemen, I am innocent.'

"We were convinced of the truth of this statement, but, wishing to appear unmoved by his appeal, ordered him to resume his place in the line.

"The next prisoner addressed was an old man. Among the wrinkles which time had placed, a look of calm resignation beamed forth, which seeemed to say that he had no fear for the fate which was before him. Looking at us with steady, unblenching eyes, he said, —

"'I have nothing to say to you. I know nothing whatever about this murder.' Turning to his companions, he continued, 'You all know me to be an honest, hard-working man. My wife and daughter, who are very dear to me, are living at Jesus Maria, where I have been mining. If any of you escape, bear to them for me my dying blessing. Tell them I die with a clear conscience, innocent, — and only regret that I am forced to die without the rites of my church.'

"We conducted him over the hill to the scaffold, and placing him under it, asked him if he would avail himself of the opportunity to escape.

"'I cannot,' he replied, 'for I know nothing. Your treatment is cruel, and if not here, you will certainly be called to account for it at the bar of God.'

"Impressed with his innocence, we sent him over the hill beyond, with the assurance that no harm should come to him. Two others were disposed of in the same manner. Our next prisoner, a keen-eyed young fellow of about twenty-five, evinced so much indifference that we removed him to the scaffold. When placed under the rope he became greatly alarmed, and consented to tell us all he knew. He narrated to us several murders, some upon hearsay, and others that he had wit-

nessed, told where the remains of some could be found, but made no mention of Osborne, and evidently knew nothing about him. Our inquisition of him was interrupted by the discharge of a gun. We sent him to join the others while we hurried to the camp.

"As we ascended the hill, we saw one of the prisoners running at full speed across the valley towards the mountain, and several of our men in hot pursuit. Talifero, Broughton, and Gilson mounted their horses and followed, but the fellow reached a ledge of rocks inaccessible to their horses, and escaped. On returning to camp, the prisoners remaining were ordered to lie down with their faces to the earth. The young Cuban was alarmed, trembled violently, and prayed with earnest devotion for relief.

"During our absence one of the men had, with the consent of his guard, gone to an oak-tree standing near, and another at the same time a similar distance in an opposite direction. The former took the chance of running for his life; the other, more closely guarded, failed of opportunity. The runaway was fired upon and slightly wounded in the shoulder. The circumstance convinced us that these were the men whose conversation first aroused our suspicions. We imme-

diately conducted the one in custody to the gallows. He was very obstinate, said he had nothing to tell us, and drawing a large sack of gold dust from his pocket, handed it to us, saying, —

"'Here, gentlemen, here is what you want. Take it and let me go.'

"'You have mistaken your men,' replied Talifero, 'we are neither robbers nor highwaymen. We are in search of the murderer of our friend. We are convinced that you know all about it. Take back your gold, give us the information we seek, or it shall be buried with you.'

"John Morrison, having hold of the rope, excited by the impudence of the fellow, here observed, —

"'Boys, let's choke him a little, anyhow.'

"The rope was adjusted to his neck, and John pulled it to an uncomfortable tension.

"'Hold a minute,' said the man, uplifting his arms, 'and let us talk this matter over a while. You say you'll spare my life if I'll tell where the captain is buried. What assurances have I that you will protect me? You know my countrymen will kill me if possible, for making this exposure. It will be very difficult for you to shield me from their vengeance.'

"'We will use all possible precaution to pre-

vent their ascertaining the source of our information,' replied Talifero. 'Or we will take you into our camp, or, if you wish to leave, furnish you with means and an escort for safety. Our honor is pledged to this. We only want to bring the guilty to justice.'

"'On those conditions I will tell you everything. Your friend, the captain, came into San Andreas one night the latter part of December. He had been drinking hard and was very talkative. He went to the *fonda*, made a great display of his gold dust, of which he had considerable, and bragged loudly of the number of Mexicans he had killed in the battle of Monterey. He seated himself at a table and called for a dish of *chili concarney*. While he was eating, the Chilano woman proposed to her husband that he kill him and take his money. He refused, but she insisted. Finally, he stabbed him. Then the question arose, "How shall we dispose of the body?" The woman said she would find a place for it. The doors of the *fonda* were closed and fastened. She took up a bed in the corner, and the husband and another man dug a hole under it, into which they laid the body, and covered it with dirt. The ground was levelled, the fresh dirt swept up, carried out and emptied into the

gulch, and the bed replaced. By all means arrest the woman first, as she is most guilty. Go back with me. I will disguise myself and go with you into the *fonda*, and stand in the corner where the captain is buried.'

"As soon as this disclosure was made, we removed the rope from the neck of the man, and returned with him to camp. After preparing a good breakfast, one of our boys went after and soon came in with the men who were supposed to have been hanged, and the entire company sat down on the sward and ate heartily. When our prisoner saw that no harm had been done to those whose examination had preceded his, he manifested some token of regret at having fallen into the trap we had set, which, though quiet, did not escape our observation. Breakfast over, we apologized to the Mexicans for the harsh measures we had employed, and parted with them on the most friendly terms. We were greatly prepossessed in favor of the young Cuban, and made up for him a handsome purse, which he accepted with many expressions of gratitude.

"Soon after they left us, we started with our prisoner for San Andreas. When we arrived within two or three miles of the town, we stopped for consultation. Our prisoner said that we had

misunderstood him. It was the man who escaped who knew where the captain was buried. He would ascertain from him and tell us. We resorted to hanging a second time, but without effect. Relying upon the information we had received, which we thought sufficient, we again removed the rope, and proceeded to town in full force and well armed. The escaped Mexican had arrived there before us, and spread the report that we had hanged all his comrades,and he had escaped with a gun-shot wound in the shoulder. The town was full of gamblers who were especially friendly with their patrons, the Mexicans. They censured and threatened us. We defied them. Proceeding in a body to the *fonda*, we found it had been suddenly vacated. The man and woman who kept it had taken the alarm and fled. Our prisoner professed ignorance of everything. We removed the bed, dug beneath, and found the remains of our murdered comrade. Every possible effort was made to arrest the murderers, but they had a day's start of us, and there were neither telegraphs nor railroads to stop or overtake them. They left San Francisco for Chili, where, we were afterwards told, they arrived in safety. We set our prisoner free, with a gentle admonition as to his future conduct, which we have every reason to believe he religiously observed."

CHAPTER XXIV.

AN INTERESTING ADVENTURE.

ROUTES BY YELLOWSTONE AND MISSOURI IN MACKINAWS — DESCRIPTION OF YELLOWSTONE — WONDERS AT ITS SOURCE — LOWER CAÑON — REMARKABLE EROSIONS — POMPEY'S PILLAR — BAD LANDS — THREE FORKS — GREAT FALLS — GATE OF THE MOUNTAINS — FORT BENTON — JACK SIMMONS'S NARRATIVE — JOHNNY — ERODED ROCKS — FIGHT WITH GRIZZLIES — HERD OF BUFFALOES — WOODCUTTERS — BATTLE WITH THE SIOUX — INDIAN MODE OF MAKING MEDICINE — WAR DANCE — TERRIBLE ONSLAUGHT — DEPARTURE AND DEATH WAIL OF THE INDIANS — JOHNNY ON THE WATCH — FORT BUFORD — HOSPITABLE RECEPTION — ARRIVAL OF THE "LUELLA" — JOHNNY'S STORY — A STARTLING REVELATION.

FOR the first three or four years after the settlement of Montana, a favorite mode of returning to the States was by Mackinaw boat, down one or both of the two great rivers whose upper waters traverse the Territory. The water trip, if not less exposed to Indian attack, was pleasanter, less laborious and expensive, and sooner accomplished than the long, weary journey by the plains.

The upper portions, both of the Missouri and Yellowstone, pass through a country abounding in some of the grandest, most unique, and most richly diversified scenery on the continent. Of themselves the rivers are very beautiful, — their waters pure, cold, broken into frequent rapids; at one moment passing through tremendous cañons and gorges; at the next, babbling along widespread meads; and anon, as if by a transformation of enchantment, dashing into the midst of a desolation which realizes all the descriptive horrors of Dante's "Inferno," — they afford to the eye a greater variety of picturesque beauty than any of the other great rivers of the continent. A journey down them in a Mackinaw boat is an incident to fill a prominent place in the most adventurous life.

The point selected for embarkation on the Yellowstone was about twelve miles above the spot where Captain Lewis started on his descent of the river, when returning from the famous expedition of 1804, 5–6. An isolated grove of lofty cottonwoods has grown upon the only soil within miles, under the overhanging crags of a cañon whose sombre walls lift themselves three thousand feet or more into the atmosphere. The river glides through those strong jaws with the swiftness and

silence of a huge serpent escaping its pursuers, forming an eddy just in front of the grove, which, being convenient of access, was early selected as a favorable place for the construction of boats and embarkation of companies.

In the fall of 1865, a company of six hundred persons commenced, at this grove, the long journey of three thousand miles to the States, in forty-three boats of different patterns. The distance to the mouth of the Yellowstone was eight hundred and twenty miles, and little more was known of its general character at that time than could be derived from the geographical memoir written by Captain Lewis sixty years before. A gentleman who belonged to the party has informed me that, after the first day's sail, he had learned to confide so fully in this narrative for geographical accuracy, that he was enabled to anticipate, long before reaching them, every prominent landmark and rapid mentioned in it. No better geographers than Lewis and Clarke have, since their time, visited the country which they explored; but their book, valuable as it must ever prove for its historical and topographical accuracy, left untold the surpassing grandeur and novelty of the scenes through which they passed. There is not a river in the world which, for its entire length of one

thousand miles, presents with the same grandeur and magnificence so much of novelty and variety in the stupendous natural architecture that adorns its banks. Its source is in a beautiful lake, unlike, in general character and appearance, any other body of water on the globe. It is surrounded by innumerable warm and hot springs, sulphur deposits, and mud volcanoes. At a few miles distance is the largest geyser basin in the world, and close at hand stupendous cataracts and beautiful cascades. Here, too, is a cañon which for forty miles of distance is filled with physical wonders, so numerous, strange, and various as to defy description, and almost surpass comprehension.

The wonders of the Upper Yellowstone were first brought to the knowledge of the people of Montana, by David E. Folsom and C. W. Cook; though there is good reason to believe that they were seen by the soldiers of Captain Bonneville's command as early as 1834, and that Washington Irving, in the preparation of the report of that officer's expedition, was furnished with a description of them which he rejected as too incredible for belief. Mr. Folsom had often heard vague and uncertain rumors of the strange phenomena to be seen near the head waters of the Snake and

Yellowstone rivers. He was told that the Indians, taking counsel of their superstitious fears, believed that region to be the abode of evil spirits, and in their nomadic journeyings carefully avoided all near approach to it. This story, gathering in volume and embellishment as it was circulated through the mining camps, so wrought upon his curiosity that, in July, 1869, he and Mr. Cook made a partial exploration of the region to solve their doubts. Bewildered and astounded at the marvels they beheld, they were unwilling to risk their reputations for veracity by a full recital of them, to a small company of citizens of Helena assembled to hear the account of their explorations; Mr. Folsom, however, published a careful account of his expedition in 1870, in the Chicago *Western Monthly*, and this, with such information as could be gleaned from him, led to the organization, in August, 1870, of the Washburn exploring expedition, of which the writer was a member. The range of discoveries was so greatly extended by this latter expedition, and by the additions made a year afterwards by Professor Hayden, that Congress was induced to set apart the entire locality as a National Park.

Two hundred miles below this immense field of novelties, we arrive at the mouth of the cañon

whence the river has been of late years frequently navigated, by Mackinaw and flat boats, to its union with the Missouri. Of this portion, but little has yet been written except by scientific explorers. For the first eighty miles of the distance, the river, almost a continuous rapid, rolls between gently undulating banks, dotted at intervals with clumps of stunted pines. Frequent ledges of rock jut into the stream, and wherever a bend or projection has served to arrest the flow of débris in time of flood, or catch the detritus washed from the rocks, a little bottom affords sustenance to a dense growth of majestic cottonwoods. This feature is prominent in the river scenery until the stream enters the Bad Lands four hundred miles below the cañon. These groves, unlike the irregular groves that adorn the Eastern rivers, present to the voyager a straight regular outline on all sides, a feature imparted to them by the beavers, which cut down unsparingly both great and small trees outside the given spaces. This perfect regularity, always at right angles with the upland shore, gives to these frequent groves the appearance of artificial cultivation, and in the very midst of one of the most boundless solitudes in the world, the observer frequently finds himself indulging a thought that there may be some old

mediæval castle still standing within the shadow of these trees.

After one has sailed about eighty miles, and finds himself descending an expansive reach of the river, the eye is suddenly attracted by the appearance on the right of an immense and seemingly interminable ridge of yellow rocks, very high, precipitous, and crowned along its summit by a forest of stunted pines. It is several miles distant, and its sheer, vertical sides gleam in the sunlight like massive gold. Far away it stretches seemingly on an air line beyond the field of vision, presenting few inequalities of surface, and none of the features of ordinary mountain scenery.

The Happy Valley of Rasselas was not more strongly protected against outside intrusions by the precipices surrounding it, than is this portion of the Yellowstone valley from all access by those who dwell beyond this ridge of sandstone.

At a distance of ten miles or more from where it first appears, the river has worn its way through it. We enter the massive gorge. Higher and higher rise the gleaming cliffs, seemingly straight up from the river's bed, until sunlight disappears, and the blue sky above you spans like a roof the confronting crags. The illusion vanishes with

decreasing height, the gloom painted in darkness upon the frightened stream grows again into sunlight, and for the next few miles you pass through banks of green adorned on either hand with citadels, temples, towers, turrets, spires, and castellated ruins, all deftly wrought by the wind and rain upon the exposed portions of the yellow rock. Neither the Hudson, with its green hills and massive knobs, nor the Columbia, with its crags and beetling cliffs, presents anything at all comparable to this. At one moment you look up at the sheer sides of a temple wrought into a form not unlike that of Edfou or Denderah, except as it surpasses them in its magnificent dimensions, all its sides presenting in the vitrified fractures of the layers of rock, regular rows of seeming hieroglyphics, and its conical, time-worn summit, gray and smooth with the frosts and storms of centuries. A little beyond stand the remains of a castle; and still farther on, seemingly equidistant from each other, three or four stately towers; then comes a massive citadel of stone, with embrasures, walls, and portholes, all the apparent paraphernalia of a mighty fortress.

These scenes, with all the variety that Nature observes in her works, occur at intervals of thirty or forty miles, every time the river penetrates the

ridge, for a distance of two hundred miles; and all the way between these passages, on one side or the other of the beautiful stream, you behold stretching along upon the most exact of natural lines the pine-crowned ridge itself, skirted by meadow reaching to the margin. Before quite losing this grand exhibition, the river, fed by Clark's Fork, the Rosebud, and the Big Horn, changes its character. The waters become dark and turbid, and spread out to more than a mile in width. The valley expands correspondingly, and the foot-hills and mountains are more distant. About midway of this passage through the yellow sandstone, Pompey's Pillar, a table of rock separated by the river from the main ridge, stands isolated, towering to a height of several hundred feet over the plain, on the brink opposite. Its summit of less than half an acre, accessible with difficulty on the inland side, according to Captain Lewis, affords an extensive view of the surrounding country.

At the mouth of the Big Horn the last view of the Rocky Mountains, which thus far have enlivened the scenery with their varied phenomena of storm and sunlight, fades upon the vision, and your voyage lies for several miles through a richer agricultural region than any you have yet seen.

Here are fine meadows covered with bunch-grass, and, upon the distant hills, herds of elks, flocks of mountain sheep, antelopes, and deer. The temptation, often too great to be resisted, makes the hunter forgetful of Crows and Sioux, and sometimes lures him to his death. The rapids now become less frequent, though several of them are more formidable. At one point, where the river passes through the ridge for a distance of six miles, it has no channel of sufficient depth to float an ordinary Mackinaw, and voyagers are obliged by main force to push their boats into the pool below. Captain Lewis gave to this obstruction the name of Buffalo Shoals. A few miles below this he saw, in the midst of a formidable rapid, a grizzly bear upon a rock, and gave to it the name of Bear Rapids.

The early hunters and trappers of the Northwest found no region more favorable for their pursuit than the central valley of the Yellowstone. Here came Ashley, and Bridger, and Culbertson, and Sarpie, as early as 1817. The latter built a fort, which he called Fort Alexander, some remains of which are still standing on the margin of one of the most delightful meadows in the valley.

The last and most fearful rapid of the Yellowstone is near the mouth of the Tongue river, and

was named by Captain Lewis, Wolf Rapid, because he killed a wolf near it. The river is here lashed into a fury. The roar of the rapid is heard for several miles, and the tossing spray and seething foam can be seen at considerable distance. The experiment of descending it has much to excite the fears of a person unaccustomed to river travels, but as yet it has been unmarked by accident.

Below this rapid we enter upon the last one hundred and eighty miles between us and the Missouri. The river, which to this point has displayed its beauties in long reaches of ten and twelve miles, now becomes crooked like the Missouri. Its banks are constantly crumbling, and its channel as constantly shifting. Everything in sight but adds to the desolation of the scenery, and the traveller finds it hard to realize that he is sailing on the same river which he beheld but yesterday so gloriously arrayed. The same general features are apparent to its mouth. It is much larger and wider than the Missouri at its junction with it, and increases to more than twice its size the latter, which, as all are aware, for more than a thousand miles below the Yellowstone has fewer attractions than any other river in the world.

Not so, however, the upper Missouri. That, like the Yellowstone, passes through a picturesque

and beautiful country. From its source, where the Madison, Jefferson, and Gallatin unite to form it, to Fort Benton, a distance of two hundred miles, it exhibits a great variety of interesting and stupendous scenery, both of water, valley, rock, and mountain. There are the Great Falls, the Gate of the Mountains, and the passage of the river through numerous cañons, which, in any other portion of the country than the mountains and rocks of Montana, would be unparalleled for grandeur and sublimity.

Fort Benton, one of the early posts built by the American and Northwestern Fur Companies, is at the virtual head of steamboat navigation on the Missouri, in the midst of a country formerly occupied by the Blackfeet Indians, — the most implacable of all the mountain tribes in their hatred of the whites. From the time of the arrival of the first settlers of Montana in 1862, until the completion of railroads into the Territory, Fort Benton was the commercial depot of the Territory. During the period of high water every spring it is visited by steamboats freighted at St. Louis with merchandise for the great number of traders in the interior towns. A considerable town has sprung up within the shadows of the old post.

A trip from Fort Benton to the States in a

Mackinaw, though full of danger, was always inviting, while the same trip by the overland stage, though comparatively safe, was ever repulsive. In the latter part of August, 1866, Andrew J. Simmons, a citizen of Helena, and ten companions, after a wagon journey of one hundred and forty miles, alighted on the *levée* at Fort Benton, *en route* to the States. In a letter to me descriptive of this journey, Mr. Simmons writes, —

"The varied fortunes and migrating tendencies of the gold miner, in following the great periodical excitements, had cast our lots together through rough and pleasant places, through adversity and prosperity in many of the mining camps of the Pacific slope; and now, having accomplished a successful mining season in the Rocky Mountains, a visit to home and friends was determined upon by descending the Missouri river in a Mackinaw. In three days our craft was completed. She was as stanch as pine lumber and nails could make her. She was thirty-three feet in length, seven and a half feet beam, and ten inches rake. Sharp at both ends, and ample for our accommodation, she was a trim built, rakish-looking craft, which rode the current majestically, and challenged the admiration of all observers.

"Delighted with the success of our experiment

in boat-building, and animated with hope of a safe and speedy passage through the two thousand miles of hostile Indian country, we quickly deposited our personal effects and various creature comforts in the little vessel, which we called 'The Self Riser,' and got everything in readiness for embarkation. We felt, indeed, that the bright visions of home, which had cheered us through many years of wandering, were soon to be realized. We had just taken a parting glass with the friends assembled on the *levée* to witness our departure, and the farewell hand-shaking and good wishes were in progress, when a young man, seemingly not more than twenty, approached me, and in an imploring voice and manner asked a passage with us down the river. There was something so touching in the low, sad tones of his voice, and his subdued manner, that I involuntarily, and on the instant, found myself deeply interested in him. He was a stranger to us all, but his pleasant, honest face, lit up by a pair of expressive eyes, disarmed all suspicions unfavorable to his character; and it was with real regret that I told him, with a view of breaking my refusal as lightly as possible, that our party was made up of old comrades, who had seen much service together, and had jointly outfitted for the trip with the under-

standing that the company should not be increased.

"I was about to turn away and join my comrades, who had already got into the boat, when he persisted, —

"'For the love of God, sir, do not refuse me! I am here alone among strangers, and have met with many misfortunes in this country. If you do not take me, I shall lose my last chance of returning to my friends and relatives.'

"I could not resist the power of this appeal. After a few words of hasty consultation with my companions, it was agreed that the young man should accompany us. Never shall I forget his look of mingled joy and gratitude when I told him to come on board. Our moorings were then cut loose, and with many a shout and cheer we bore down upon the rapid current. When night approached we did not, as was usual with voyagers, make land and remain until morning, but sailed on, bringing to for the first time early in the afternoon of the next day at the mouth of Judith river. There we made camp under the branching cottonwoods, one hundred and forty miles from our place of embarkation. Our larder had been replenished on the trip with three fat antelopes and a buffalo cow, shot from the boat

as we floated along. We had also contrived to form the acquaintance of our new passenger, but without learning much of his history. There was something about him when questioned as to his life in the mountains which impressed us with the idea that he was guarding a secret it would cost him great pain to reveal. Respect for his sensibility soon overcame all curiosity on the subject, and so the poor boy was only known to us by the unromantic name of 'Johnny.' His skill with the pistol, exhibited on several occasions on our first day out, won him the favor of every man in the party. We all felt that in his way 'Johnny' was one of us, but his way was not like ours. We soon discovered that the rough life to which we had been accustomed had no charms for him. He neither indulged in coarse jokes himself nor enjoyed them in others, no profane expressions escaped his lips, and we were kept constantly upon our guard by some indescribable delicacy of demeanor on his part, which commanded our respect. Neither could we impose on him any of the severe toil of the voyage, but in all the lighter duties no man was more faithful than he, nor more grateful for relief from any labor that overtasked his strength.

"We had feasted to repletion on antelope and

buffalo at our first camping-place, and when the hour for resting came, the question arose what should be done with Johnny. He had no blankets, and there was no alternative but that Humphrey and I should give him a place with us. So he became our joint bedfellow for the trip.

"We left at dawn, and before mid-day entered upon that marvellous tract of country which as yet has received no more appropriate name than the 'Bad Lands.' This significant title, translated from the original French, *Mauvais Terres,* has been given to an immense tract of barren country stretching for more than a thousand miles along the Missouri and Yellowstone; but the portion to which I here allude is but a single and remarkable feature of this vast earthen desert, and should receive a more distinctive appellation. The Missouri at this point, for a distance of thirty miles or more, passes through a ledge of talcose rock. Its color is a dusky white. Twelve miles of this distance the entire face of the rock upon either bank of the river has been eroded by the elements into countless forms, which suggest a thousand resemblances to artificial and natural objects, in some instances so exact as almost to deceive a casual observer. No other spot in the world has yet been discovered which can boast of

such an extensive display of eroded rock. The river is confined between precipitous banks a hundred or more feet in height, and all along the jagged and broken surface, extending from the edge of these vertical walls beyond the range of vision, these objects are distributed. It seems as if all the pantheons and art galleries of the world had been emptied of their contents here. In one place is an immense round table with a large company gathered around, realizing at a single glance the legendary stories of Arthur and his knights. Through a little nook may be seen a number of forms that will remind one of the Saviour and his disciples. Then again suddenly springs into view a large gathering of people, as if assembled upon some public occasion. Men in every position, women, angels, animals, mausoleums, may be seen, and in their immediate vicinity are larger forms suggestive of dwellings, churches, and cottages. On the extreme point of one of the bends in the river stands the most exquisitely fretted castle of imperial dimensions; spires, minarets, towers, and domes scattered over it in great profusion. This single object is larger than the Capitol at Washington. One nearly as large, and presenting points of great interest, stands diagonally from it, on the opposite side of

the river. Buildings with long lines of colonnades, citadels with embrasured parapets and bastions at their several angles, may be seen on every hand. The exhibition is very beautiful, and so unlike any other exhibition of natural art, as to excite the wonder not less than the admiration of all beholders. The difference between these and the eroded rocks of the Yellowstone is in color and size. The Missouri erosions are much more delicate, and not confined to architectural forms alone, but they embrace statuary, furniture, vessels, chariots, and almost every object in the natural world. They are, moreover, nearly white, and their surfaces gleam in the sunlight with all the beauty of polished marble. Awestruck at the multiplicity and grandeur of the various objects which met our gaze, we floated through this region of wonders as silently as if it had been a city of the dead. It did not seem possible as we sailed under the shadow of these immense citadels, that they were the mere creation of the elements, and had never been the abodes of men.

"The navigation of a Mackinaw boat over this portion of the river was intensely interesting. Our light craft, impelled by sails and a rapid current, easily at the command of the helmsman,

would sheer around the huge rocks and dash through the foaming rapids, sweeping bends, crooked channels, and innumerable islands and sandbars. The scene was constantly changing, and new objects of interest presented themselves at every turn.

"Early on the morning of the third day, one of our company fired at a black-tailed deer, standing midway to the summit of a lofty cliff. The animal rolled down the declivity almost to the water's edge. The shot was pronounced remarkable. Out of compliment to the skill of the marksman, as well as to appease the cravings of appetite, we immediately landed, built a fire, and proceeded to roast and 'scoff,' after the approved manner of hunters, the tender ribs and haunches, furnishing a meal which all agreed surpassed anything known to the modern *cuisine*. Perhaps this was attributable to the fact that we were hungry, but then the delicious flavor of the venison was not spoiled by villanous cookery. Our dessert consisted of canned fruit and coffee, the whole moistened with a moderate flow of Bourbon drunk from tin cups. After our repast was finished, we resumed our journey in the happiest mood, with the spirit and dash of adventurers who felt themselves equal to any emergency. At

noon we came upon the steamboat *Luella*, which, owing to the falling of the river, had left Fort Benton some weeks before, and was lying below Dauphin's rapids, where her passengers, who were coming down in small boats, were to join her for the trip to St. Louis. The river, which owes its spring flood to the early rains and dissolving snows in the mountain ranges, seldom affords sufficient depth later than July for steamboats to pass over Dauphin's and Dead-Man's rapids, the two great obstructions to its upper navigation. Indeed it was matter of speculation whether the *Luella* would be able at this late period in the season to make the trip until after another rise. We remained long enough to exchange compliments with Captain Marsh, and presenting him with a quantity of game for his lady passengers, resumed our voyage.

"While descending the river the forenoon of the next day, we saw on the right bank half a mile ahead, three monster bears. They were taking a social drink from the river. As soon as they had finished, they strolled leisurely up the bank and disappeared in the cottonwoods. Landing at the spot, all hands seized their weapons and started enthusiastically in pursuit of them. We followed their huge tracks in the sand up a

low coulee, to the top of the bluff, and there formed in line and proceeded by the flank into the chaparral, their tracks growing larger and fresher as we advanced, until suddenly the huge monsters confronted us at a distance of about thirty paces. Seated on their haunches, their heads towering above the shrubbery, jaws extended, and paws swaying to and fro, they by short and eager snuffs, growls, and snaps, gave us an acute sense of the danger we had mistaken for sport. Our appetite for bear meat weakened much quicker than it came, and old 'Forty-niner,' who had served a long apprenticeship in California, coming up at this moment, on seeing the animals, raised and fired his rifle, shouting in a voice of terror, 'Holy Jupiter! They are grizzlies!' and turned and ran like a demoralized jack-rabbit in the direction of the boat. Suddenly recollecting that it was the black bear and not the grizzly we were in pursuit of, we all followed his example. Humphrey, slowly bringing up the rear, proposed that we should 'give them a round.' To this I assented, but urged as a preliminary that we should get out of the brush and within striking distance of the boat. Before we could do so, however, the foremost bear made a plunge for Humphrey, who, facing him, with

his gun at his shoulder, fired with so true an aim, that the great beast with a somersault fell forward at his feet, and with a roar of pain expired. The cub, two-thirds the size of its dam, seeing her fall, turned and fled, leaving the way open for the attack of the sire, a grand old fellow who sounded instantly to the charge, and came crashing through the thicket upon us. It was a moment for action. We opened upon him with a terrible bombardment from our Henry rifles. In less time than a minute we had fired thirty-one balls into him. In his endeavors to reach us, and in his rage and agony, he executed some tremendous feats of ground and lofty tumbling. The woods echoed to his howlings, and in a frantic manner he tore up the earth and broke down the saplings for a considerable space around. The chaparral cracked beneath the strokes of his paws, and large pieces of rotten logs were scattered in all directions. His pluck should have won him a more glorious fate, for with all his efforts to attack us, he died without inflicting any harm, and his death roar, reverberating through the forest, summoned our frightened companions, who, with 'Forty-niner' in the van, returned in time to be in at the death. 'Johnny,' my faithful henchman, with revolver in hand, reserving

fire for a last contingency, had stood near while the fight was progressing. He now came forward and warmly congratulated Humphrey and myself on our victory. We took the hind quarter of our prize on board, and nailed one of the huge paws as a trophy, to the top of our jack-staff, and floated on.

"Toward evening we descried a party of white men on the right bank, hove to, and went ashore. They proved to be a party of seven, engaged in chopping wood for steamboats. They were living in a little shanty, and intended to remain through the winter. When the boats came up, in the early spring, they expected to make a profitable sale of their wood, and go to some less exposed country. During the winter they designed to increase their wealth by hunting and trapping for furs. These men were armed with Hawkins rifles, which, being muzzle-loading, were greatly inferior to the breech-loading cartridge guns then in use. We warned them of their danger, but with the energy and enterprise they possessed also the courage and recklessness of all pioneers. They said they were ready to take the chances. Poor fellows! The chances were too strong for them, for only a few days afterwards a body of Sioux Indians came upon them. They made a

desperate defence, but were overpowered and every one of them massacred.

"The eighth day of our voyage was mild and lovely. We had floated seven hundred miles without accident. Each day had been crowded with events of interest, and our adventures had all been crowned with success. These, with our resources for humor, and a general disposition to see only the ludicrous side of passing incidents, made us cheerful and good-humored even to boisterousness. Sometimes, even in the midst of mirth, the thought of our constant exposure to Indian attack would operate as an unpleasant restraint. But we did not shirk the subject, or fail for a moment to look it steadily in the face. Most of our company knew what Indian fighting meant, and some had had experience. Three had followed under the banner of the writer, on the sunny slopes of the distant Pacific, when gallantry and honor had called for volunteers for the defence of firesides against savage forays. In early times upon the Middle Yuba, when Bill Junes the packer and five others were ruthlessly murdered, it was 'Forty-niner' who sounded the tocsin of war and led the daylight attack down the winding gorge upon a Digger ranchero, to its total annihilation. Our uniform experience had

been that where civilized jarred with savage nature, a conflict was inevitable, and the pioneer had fought his own battles unaided. Government had done little for his protection, and less for the savage.

"Occasionally this subject would obtrude itself upon our thoughts, and we would discuss it in its personal aspects, always resolving to be on our guard against surprise and attack. But the prestige of successful adventure made us careless, and a latent sentiment of pride and confidence in our arms pervaded the entire party. We had been for several days passing through the country of the hostile Sioux, and knew if we should fall in with one of their war parties an attack would surely follow, and he would be a lucky man who escaped a bloody fate. As if, by a presentiment of coming evil, the subject on this day became more than usually exciting. 'Forty-niner,' who rather desired a brush with the Indians, had just expressed his willingness and ability to eat any number of Sioux for breakfast, should they attack our party, when our boat rounded a bend in the river, and Humphrey, the first to make the discovery, exclaimed, 'Well, there they are. You can eat them for dinner if you choose.'

"It was high noon. Just before us at the mouth of a coulee on the south bank of the river, was a large party of Indians. A hasty glance of mutual surprise and an instant seizure of arms by both parties, defined, stronger than language could do, the terms upon which we were to meet. Below the coulee, there rose to the height of fifty feet, a perpendicular bluff around whose base dashed the foaming current. A low open sand-bar disputed our passage on the opposite side. There was no alternative. We must go by the channel, within range of their guns, or not at all. As we steered to a point across the river, the Indians withdrew to the coulee, one alone remaining, who accompanied his friendly salutation of 'How! How!' with gestures indicating a desire for us to return to that side, and engage in trade with them. A moment later and our boat was opposite the coulee, within which we could see some of the red devils stripping off their blankets, and others, already denuded, approaching the verge of the bluff, armed with bows and arrows and rifles. It was evident we had come up with a large party of Sioux who were about to attack us, and we must make the best of the situation. Despite our labor at the oars, the current swept us down in direct range

of the spot occupied by the Indians, who, before we had finished fastening our boat, opened fire upon us with about fifty shots, which fortunately whistled over our heads. Before they could correct their aim for another fire, we were behind a breastwork hastily extemporized by throwing up our blankets and baggage against the exposed gunwale of the boat. This they pierced with bullets thick as hail, but the protection it afforded us was ample, and we soon got ready to return their leaden compliments. Each of our Henry rifles contained sixteen cartridges when we opened fire, and the distance being about one hundred and fifty yards to the bluff, which was literally swarming with savages, not more than ten minutes elapsed until every one of them had disappeared. The fearful death howl, however, assured us that our fire had not been in vain. With the exception of an occasional head dodging behind the trees, not an Indian could be seen, yet from the coulee, the sage brush, and low shrubbery, an incessant firing was kept up, which we returned as often as an object became visible.

"The effect of our first fire satisfied us that while it would be death to all on board to attempt to run the channel, we could in our present position keep the rascals at bay. We could stand the

broiling sun of an August afternoon on a heated sand-bar in the Missouri better than the hotter fire of our savage foes. Early in the action, while rising to fire from the breastwork, a bullet struck Humphrey in the mouth, carrying away with it a piece of the jaw and three teeth, and severely cutting the lips. The wound disabled him, and deprived us of the best marksman in the party. A little later 'Forty-niner' was struck by an arrow in the fleshy part of the thigh. I pulled out the shaft, and bound up the wound. Five minutes after, an arrow pierced the calf of his leg, inflicting a painful wound. These arrows came from a squad which was protected from our bullets by a depression in the bluff, oblique to us. So great was their skill with the bow, that while the main party in front could not harm us with bullets, they, by bending their arrows, caused them to describe a curve which would strike their sharp points into the legs of our boots with unerring precision.

"The pride of 'Forty-niner' was now fully aroused. Twice wounded, he became enraged, desperate, and unsheathing his bowie-knife, he rose to his feet, and brandished it in the rays of the sun, launching a terrible imprecation upon the liver, hearts, and scalps of the savages.

'Come on,' he shouted, 'you infernal sons of Belial! Alone and single-handed, I will meet any five of the best of you in open fight!'

"The bullets whistled around him from an invisible foe, but to no purpose. Seizing him by the left arm I pulled him down, and warned him of the danger of this personal exposure; but not until he had exhausted his vocabulary of maledictions, would he yield to my entreaties and resume his place behind the breastwork. Deprecating his recklessness, I could not but admire his courage. But as this was no time for sentiment, I was only too happy, when, of his own accord, he stretched himself beside me, and I heard the bullets whistling harmlessly over us. Just at this moment I looked behind me and caught a glance of my little friend Johnny. With nothing but a pistol to engage in the conflict, he had taken no active part in it, but, with the pistol beside him, he was administering every possible relief to poor wounded Humphrey. His coolness was remarkable, and inspired us all with hope.

"The Indians kept up a brisk fire from various places of concealment until after sundown. We only responded when our shots would tell, and finally ceased to fire at all. Our enemies, thinking we were all slain, sent a party to take our

scalps and plunder. We lay still, behind our breastwork, so as not to undeceive them. Twenty-seven of their best warriors, led by Ta-Skun-ka-Du-tah (the 'Red Dog'), swam the river half a mile above, and marched down directly in rear of us. There, at a distance of about three hundred yards, they sat down in a ring, within easy range of our rifles. Sitting Bull, their head chief, meantime made medicine on the south bank for their success, while they, believing that we were fully in their power, commenced smoking and making medicine with the intention of destroying us at leisure. (The names of the chiefs engaged in this attack were learned by the writer several years after its occurrence when he was employed as a government agent for the Teton Sioux, of which tribe Sitting Bull was head chief.)

"The 'Red Dog' was a big medicine man. Having filled and lighted the magic pipe, he first touched the heel of it to the ground, then raised and pointed the stem to the sun, drew a few solemn whiffs, forcing the smoke through his nostrils, and passed the pipe to his neighbor on the right, by whom it was passed on, until the ceremony was performed by every man in the circle, and the pipe returned from right to left without ceremony to the hands of the medicine

man. He refilled it, and it was circulated again from left to right. Painted sticks with colored sacks of medicine attached were then stuck in the ground in the centre of the enchanted circle, and the whole company arose, broke into a guttural graveyard chant, and commenced the war-dance around the medicine, the chief meantime waving over it his coo-stick. This over, the medicine with great solemnity was given to the sun.

"During the half-hour thus occupied by the Indians, we were engaged also in making medicine, and we made it strong. Our ten large Colt's revolvers were carefully loaded, our Henry rifles cleaned, and their magazines filled with cartridges. We were impatiently awaiting the assault when it came. Naked, hideously striped with red and black paint, dancing, contorting their bodies, showering arrows thick and fast into and around the boat, blowing war whistles made of the bones of eagles' wings, whooping and yelling, they rushed to the onset as if all the devils of pandemonium had been suddenly let loose. For their arrows and bullets we were prepared, but this terrific vocal accompaniment for the moment scattered our courage to the winds. We could well understand how the stoutest hearts would quail in presence of such an infernal demon-

stration. Our hair rose up like quills, and we could feel our hearts sink within us as the noise and din increased, filling the forest with horrible reverberations.

"Our little boat, breasting the sluggish current, floated at a distance of twenty feet from the shore, to which she was fastened by a strong painter. The red-skins, still shouting and firing, evidently anticipating an easy victory, rushed madly onward to the water's edge, when at a word, we all rose up and opened a deadly and incessant fire upon them with our rifles. Our hopes were more than realized in seeing several fall, and the others beat a hasty retreat to the cottonwoods. It was now our turn to shout, and we made the welkin ring with cheers of victory as we jumped from the boat and waded rapidly to the shore, and pursued the flying demons to their log covert in a coppice of willows. 'Forty-niner,' reminded that his banqueting hour had arrived, forgetful of his wounds, rushed impetuously to the charge, brandishing his inevitable bowie-knife with one hand, his unerring pistol firmly clasped in the other, and his powerful voice raised to the highest pitch of angry utterance.

"'Scatter, you infernal demons!' he cried, 'scatter, for not a devil of you shall escape us.'

"Too true, alas! for Ta-Skun-ka-Du-tah, were these words of doom. The medicine which he deemed invincible, failed to protect him from the deadly aim of 'Forty-niner,' a bullet from whose pistol passed through his heart. With a convulsive leap into the air, and an agonizing death yell, he fell prone to the earth, grasping the coo-stick and medicine which had lured him to his fate. Six lifeless bodies of his followers lay around, and how many were killed or wounded on the opposite bank in the early part of the contest, we had no means of ascertaining. 'Forty-niner' made medicine over the fallen chief, and removed his scalp in a manner which even he would have approved. Little Johnny displayed great courage in the fight, and was always near me in the thickest of it, seemingly ready to avenge any harm that might befall his benefactor.

"The twilight was fading into darkness, when the Indians on the opposite side of the river fired upon us for the last time. Assembling upon the bank in a group a few hundred yards above us, they were speedily rejoined by the survivors of the attacking party, who, as we learned from their melancholy death howl, had communicated to them the disasters of the battle. The wailing

notes, attuned to a dismal cadence, ringing in echoes through the forest, harmonized gloomily with the joy and thankfulness which our escape had inspired. We had no sorrow to squander upon the savages in their distress, but there was something so heartfelt in the expression of their grief, that it filled us all with sadness. And there was no heart in the loud and repeated cheers and firing of rifles with which we deemed it necessary to respond, lest they should return and seek to avenge the death of their fallen comrades. It was simply an act of self-defence; for had the Indians known our fear of future and immediate attack, and the anxious plans we made for prompt departure, our doom would have been certain.

"When the last faint note of the retreating Sioux assured us of freedom from immediate danger, we took careful note of our injuries, and made preparations to resume our voyage. Five of our company had been wounded, none fatally, but all needed attention and service which we could not bestow. Our boat and baggage had been pierced by hundreds of bullets. A companion, who was disqualified by the recent amputation of his leg from service during the fight, had received a wound in the back that would have proved fatal but for the interposition of his

wooden leg, which happened to be in range. Another had an arrow point in his shoulder, and still another one in the hip. Then there were Humphrey and 'Forty-niner,' so badly wounded as to be incapable of service. Before daylight a thousand Indians, thirsting for revenge, might assemble at some point below us, intent upon our destruction. There was no alternative; — we must leave with all possible speed, and reach Fort Buford, about one hundred and thirty miles distant, at the mouth of the Yellowstone, without detention of any sort. Those of us who were uninjured by the fight, set about repairing the boat. An hour before midnight we dropped into the current, and under cover of intense darkness were borne rapidly down the turbid river. Jostled by frequent snags, arrested by sand-bars and by various collisions, kept in constant fear of wreck, we contrived to hold our course until daylight. Through the succeeding day our field-glass was in constant use, but as no Indians were visible, we ventured, while passing a bottom, to fire into a large herd of antelopes. Two were killed. We disembarked, threw out pickets, and prepared a hasty meal, and sailed onward. Until its close, the remainder of the day was without incident; but just at dark, our boat ran hard

aground upon a sand-bar, and obliged us to remain there during the night. This was not without risk, for if the Indians had come upon us we would have been an easy prey. Our ever-faithful Johnny, who had slept during the day, volunteered as guard, and wrapped in his blanket, he sat down on the deck, his clear eye peering into the darkness, and his keen ears detecting the slightest unusual noise. Several times he mistook the whistle of an elk, and howl of the wolf, for the Indian, but no Indian came, and we were aroused at daylight by our trusty sentinel with the welcome announcement that a large human habitation was visible. We sprung to our feet, and beheld, at a distance of three miles ahead, the stockade and bastions of Fort Union. Fears for our safety and for the poor fellows whose wounds produced the most intense physical suffering, were instantly relieved; and every able-bodied man in the party put forth his best exertions with hearty good will to remove the boat from the sand-bar. This accomplished, we soon effected a landing at the fort, but finding no surgeon there, crossed the point with our wounded, a distance of two miles, to Fort Buford, then in process of construction at the mouth of the Yellowstone. Here we found a Company of the 13th United States Infantry,

under command of Col. W. G. Rankin, quartered in tents until the completion of the post. More than half the time their attention was diverted from work upon the fort by attacks of Sioux, large bands of which were prowling through this region. The colonel received us very kindly, placed a large tent at our disposal, furnished us with commissary stores, and consigned our wounded to the skilful treatment of the surgeon.

"We had been two weeks at Fort Buford, when the steamer *Luella* arrived with three hundred passengers. Our taste for adventure having lost its flavor, we reluctantly bade the kind colonel and his Company good-by, and took passage on her for Sioux City. The run down, unmarked by any unusual incident, and after frequent detentions upon sand-bars, was accomplished to the head of the great bend above the town in fourteen days. One of our party crossed the bend, which is but a few miles in width, to the city, to provide means upon our arrival for the conveyance of the company to the Northwestern railroad, not then completed to the Missouri. I had just finished a game of whist, when my comrade Johnny, who was seated beside me, drew me aside and inquired if I intended to leave the boat at Sioux City. On receiving, with an affirmative reply, an urgent

request to accompany me to Chicago, he broke into tears and expressed great regret that we must part so soon, as by remaining on the boat he could reach his friends and home much sooner than by any other route.

"'Come with me on the deck,' he continued, putting his arm in mine. 'I have something to tell you in confidence, which will greatly surprise you.'

"I had often had occasion during our trip to think that Johnny would unfold the mystery which enveloped him, before we separated, and I readily accompanied him to the place indicated. With much nervous embarrassment, he then said to me, —

"'I am indebted to you more deeply than you can even imagine. You have been a kind friend and benefactor, and now that the time has come for us to part, I should be more than criminal did I not reveal myself to you in my true character. The disguise is no longer necessary for my protection. I am a woman.'

"Involuntarily I exclaimed, 'Great Heaven! is it possible! — and I, all this while, so stupid as not to see it in your conduct! This accounts for everything I thought so strangely reticent, so singularly delicate and refined in your manners.'

"'Let me go on,' said she, interrupting this rhapsody. 'Our relation to each other, so changed, must not affect the deep sense of obligation your kindness has imposed; and besides, my history, with all its sad vicissitudes, will afford ample apology for the deceit of which this confession convicts me. When I came to you and begged for the passage you so generously granted, I was a poor heart-broken woman, but now with the multiplied evidences I have of a protecting Providence, I am comparatively happy. Listen to my story. Just before the great rebellion I was married to one I dearly loved. Our home was in Tennessee. I was nineteen, and my husband, whom I will call Mr. Gordon, a few years older. Early in the summer of 1861 he espoused the Union cause, which brought him in great disfavor with his relatives and neighbors. Their frequent persecutions drove us from the country. We sought a new home in California. There he engaged in extensive mining enterprises, all of which terminated in failure. He became utterly discouraged, and realizing in the current idiom of the country the condition of one who had "lost his grip," I urged him to return to the States, but our means were nearly exhausted. With the hope of replenishing them, as a last resort he staked

and lost everything at a gambling table. To my constant entreaties for reformation, he promised well, until intemperance seized him in its deadly coil. Naturally high-spirited and honorable, misfortune and dissipation soon reduced him to a wreck.

"'In the spring of 1866 we were living in a mining camp at the Middle mines, on the western slope of the Sierras. One night (I shall never forget it) my unfortunate husband, while intoxicated, became embroiled in a desperate quarrel at a game of faro, with a player of much local popularity. A fearful fight followed, in which he killed his antagonist. He was followed into the street and his arrest attempted by a sheriff's officer. He fled in the direction of his home, was fired upon and seriously wounded, and in three shots fired by him in return, he killed one of the arresting party. The others fled. The crowd, attracted by the firing, pursued him so hotly that he ran to the hills and secreted himself in the forest.

"'During the succeeding six days of bitter anguish I was in a state of terrible suspense. Late one night relief was brought by a messenger from my husband, who said he was lying at a miner's cabin in the mountains, fifteen miles

distant, seriously wounded, and required medicine and attendance. I instantly determined to go to him. The man, an old friend of my husband, discouraged me, lest I should be followed by the officers, and the hiding-place discovered. This objection I overcame by donning male attire, and following his guidance astride a mule. I reached the bedside of my wretched husband without exciting suspicion, and after several weeks of careful nursing, his condition was so improved that he could commence a journey to the States. Fear of discovery prevented longer delay, and our friend providing us with means of conveyance, we started on our weary route.

"'You may readily conceive that the task was disheartening, for to escape detection it was necessary to avoid all travelled routes, and literally pick our way through mountains, valleys, defiles, and cañons, fording rivers where we could find opportunity, and obtaining food from ranches and at points remote from the large settlements. My husband's condition required constant attention, and on me alone devolved all the labor and care of the journey. No one, to see my embrowned face and knotty hands, would have ever dreamed that I was aught else than the tough wiry boy I appeared, or that I concealed beneath

my disguise a heart torn with anguish and shaken by continual fear.

"'We selected, as least liable to interruption, a route through Northern California, Oregon, Washington and Idaho, intending, after our arrival in Montana, to find some easier mode of completing our journey. Five long weary months during which travel was about equally alternated with delay, found us encamped on the Columbia plains in Washington Territory near the western border of Montana. Oh! it had been a terrible perambulation. And now, when beyond the pursuit of sheriffs, and near the close as we supposed of our journey, my poor husband, weakened by the internal hemorrhage from his wound, was prostrated by an attack which in a few days terminated his life.

"'I was alone in the wilderness, several hundred miles from the nearest settlement. For two days and nights I lingered in that lonely camp beside the dead body of my husband, without a sound to break the fearful stillness, save the yelping of coyotes, and the midnight howl of the wolf. On the third day I heard the welcome sound of an approaching pack-train. The men having it in charge dug a grave and gave my husband decent burial. I accompanied their

train to Helena, preserving my male *incognita* without suspicion. After a brief period of rest and refreshment, I disposed of my effects and went by coach to Benton, where I was so fortunate as to fall in with your party. You know the rest.'

"The recital of this eventful narrative made a profound impression upon me. I could scarcely realize that it had fallen from the lips of the mild-mannered, resolute, active little Johnny, who had been to us all such a pleasant but enigmatical companion. My sympathies were all warmly enlisted in favor of the brave woman, but she refused all further proffers of assistance, assuring me that she was provided with ample means for the completion of her journey, and had many able and willing friends who would greet her return to them with joy. I took leave of her at Sioux City the next day with real regret, and often since have recalled to mind the thrilling history of her experience in the mountains."

Nathaniel P. Langford

CHAPTER XXV.

THE STAGE COACH.

HOLLIDAY'S OVERLAND — HAZARDOUS JOURNEYINGS — PORT-NEUF CAÑON — MASSACRE OF 1865 — TREACHERY OF THE DRIVER — SANTA FÉ ROUTE — MEXICAN CHARLEY — CAPTURED BY ROAD AGENTS — ROBBERS FOILED — STRANGE DISCLOSURE — BOISE ROUTE — "DOWDLE BILL" — LUDICROUS FUNERAL SERVICES.

THE stage coach is one among the most vivid memories of the boy of half a century ago. The very mention of it recalls the huge oval vehicle with its great boot behind, fronted by a lofty driver's seat, — swaying, tossing, rocking, lumbering and creaking as it dashes along, impelled by four swift-footed horses, through mud and mire, over hill and dale, in the daily discharge of its appointed office. Anon the rapid toot of the horn, closing with a long refrain, which reverberates from every hillside, winding a different note to the varied motions of the coach, and a rattle of the wheels announces the arrival, and every urchin in the village is on the alert to see its passage to the hotel, and from the hotel to

the post-office. It was the daily event in the memory of childhood, which no time can obliterate. As years wore on and improvements came, and one by one the old-time inventions gave place to others, the coach began gradually to disappear from the haunts of busy life, and the swift-winged rail-car to usurp its customary duties. Seemingly it shrunk away as if frightened at the improvements multiplying around it, and sought a freer life in the vast solitudes of the Great West. There it had full range without a rival for thousands of miles for a third of a century, and conveyed the van of that grand army of pioneers across the continent, who sought and found home and wealth and opened up a new and richer world than any ever before discovered on the golden shores of the great Pacific.

The system of overland travel, which afforded a comparatively rapid transit for passengers and mails between the oceans, made the stage coach an object of peculiar interest to the civilized communities of both continents. It was the bearer of the earliest news from the gold fields, the most assured means of communication between those families and friends whom the lust for fortune had separated, and the most available conveyance to the land of gold. The novelty of

a trip across the plains, over the mountains, and through the cañons, its exposures to Indian attack and massacre, its thrilling escapades and adventures, can only be known to him who has accomplished it.

Before the construction of the Union Pacific Railway, mails and passengers were transported from the States to Montana by Holliday's Overland Stage Line, running from Atchison, Kansas, by way of Denver and Salt Lake City, and connecting at the latter place with a stage line owned by other proprietors, running to Virginia City and Helena, a total distance of nineteen hundred miles. The route, for nearly its entire distance, lay through a country occupied by various Indian tribes, several of which were permanently hostile, and the others ready to become so as occasion offered, to satisfy their greed for plunder or robbery. The only habitations of whites, except at the places mentioned and two or three smaller settlements, were the log cabins of the stock-tenders. The regular time for a journey from Atchison to Helena was twenty-two days. Once started, the only stoppages were at the changing stations twelve to fifteen miles apart,— the eating stations being separated by a distance of forty or fifty miles.

In the fall of 1864, I made this journey in company with Samuel T. Hauser, — the time occupied being thirty-one days and nights of continuous travel. Our journey was prolonged by delays occasioned by the incursions of the hostile Sioux, who had killed several stock-tenders at different stations, burned the buildings, and stolen the horses. From their frequent attacks upon the coaches from ambush, it was necessary for us to be on the constant lookout, with arms prepared to resist them at any moment. This cautiousness was intensified by the evidence of their murderous purpose we met with in our progress. On the second day after leaving Atchison, the eastern bound coach met us with one wounded passenger, the next day with one dead, and the next with another wounded. The reports of passengers eastward bound were also very discouraging. Yet this risk of life did not lessen travel. The coaches were generally full.

As a curious fact in stage-coach statistics, I may be pardoned for stating that in fourteen years, while National Bank Examiner for all the Territories and the Pacific States, and four years, while Collector of Internal Revenue, my staging to and fro over the continent exceeded seventy-four thousand miles. I learned in that experience

that the most comfortable as well as most eligible place for travelling was the outside seat beside the driver; and as it was seldom in demand by others for travel by night, I usually had no difficulty in securing it. For one whose stage travel is pretty constant, no dress is more suitable than the one usually worn by express messengers, which consists of warm overalls and fur coat for ordinary winter weather, and a rubber suit for protection against storms. The only objection to them, and that sometimes and in some portions of the country a serious one, is the liability of the wearer to be mistaken for a guard. The road agent considers the guard with treasure in his keeping as legitimate prey, and shoots him without the least compunction if he evinces any determined resistance. It was my good fortune for several years to travel unmolested over routes which but the day before or after were the scenes of both murder and robbery.

The ill-starred cañon of the Port-Neuf river, memorable in all its early and recent history, for murder, robbery, and disaster, is about forty miles distant from Fort Hall, Idaho. It was named after an unfortunate Canadian trapper, murdered there by the Indians, and ever since that event a curse seems to have rested upon it. Captain

Bonneville established his camp there for the winter of 1833–4, and during his absence with a few men, those who remained, reduced by cold and hunger, were obliged to leave for a more promising location. He found them on his return in the spring, encamped on the Blackfoot, a tributary of Snake river, not very far above Port-Neuf cañon. Not only had they been pinched by famine, but they had fallen in with several Blackfoot bands, and considered themselves fortunate in being able to retreat from the dangerous neighborhood without sustaining any loss.

Ever since the stage road from Salt Lake City to Montana was laid out through this cañon, it has been the favorite haunt of stage robbers and highwaymen. Nature seems to have endowed it with extraordinary facilities for encouraging and protecting this dangerous class of the community. Both sides of the river wash the base of basaltic walls, which, by the combined action of fire, water, and wind, have been eroded into numerous columns, resembling in formation those of Staffa, and forming coverts and gateways alike favorable to the commission of robbery or murder, and the escape of the criminals. Indeed, it has been with many a commonly received opinion, that these gateways of rock gave the name to the cañon, the

word Port-Neuf in compound form signifying "ninth gate." Notwithstanding its terrible history, the drive through it upon a summer day is very delightful. In the most romantic portion of it, marked by an immense pile of crumbled basalt and favored by an almost impenetrable thicket of willows, is the scene of one of the most horrible tragedies that ever occurred in the murderous history of this robbers' den.

Robbery and murder in the early history of the gold seekers in Montana and Idaho were carried on upon strictly business principles. No attack upon a coach or a returning emigrant train was made without almost certain knowledge of the booty to be obtained. Some of the band of robbers were at the different mining localities, on the lookout for victims; and between them and the attacking party a system of telegraphy existed by which was communicated all possible information concerning every departure of the coach with a treasure-box, or passengers with gold dust.

In the summer of 1865, Messrs. Parker and McCausland, who represented the interests of two successful merchants of Virginia City, and Messrs. Mers and Dinan, merchants of Nevada City, left Montana for St. Joseph, Missouri, with about sixty thousand dollars in gold dust in their pos-

session. For a week or more before leaving, as was the custom in those days, they had sought by various devices to mislead any local operatives of the robber gang who might be watching them, as to the exact time of their departure, so that when they took leave of Virginia City they were very confident they had stolen a march upon them, and would pass the ordeal of a coach ride to Salt Lake City in safety. Port-Neuf cañon was regarded as the dangerous spot. Once through that, they were comparatively safe. Their treasure, safely packed in buckskin bags, was in part concealed upon their persons, and the remainder locked up in a carpet-sack, carefully stowed away under the back seat which they occupied. Before their arrival at Snake River bridge, two more passengers, Brown and Carpenter, were added to the number. Leaving there in high spirits, they proceeded at a brisk pace down the road, entering the cañon at an early hour in the afternoon. It was a pleasant sunshiny day. Happy in the belief that before its close they would leave the dreaded place behind them, and that no attack would be made in daylight, the members of the company were engaged in one of those rambling discursive conversations which belong exclusively to this mode of travel. Each man, however, as

if instigated by the evil spirit of the locality, had, before arriving at the cañon, examined his weapons of defence and placed them in a convenient position for use in case of necessity. Mile after mile was passed, and more than half the distance through the cañon had been travelled, when a voice issuing from a clump of bushes by the roadside sternly commanded the driver to halt, and at the same moment the muzzles of nine or ten guns were presented at the passengers, who were ordered to throw up their hands. "Robbers! Fire on them!" exclaimed Parker, who had taken a seat on the outside of the coach for the purpose of watching, — and suiting the action to the word, he cocked and raised his gun and attempted to fire, but fell forward riddled with buck-shot. At the same time other shots killed McCausland, Mers, and Dinan, and seriously wounded Carpenter, who escaped by feigning death, as one of the robbers was about to shoot him again. Brown escaped by plunging into the surrounding thicket of bushes. Charley Parks, the express messenger, received a serious wound which necessitated the amputation of the leg at the thigh. The murderers then completed their work by rifling the bodies of their victims, and seizing whatever treasure they could find upon and within

the coach, and then made their escape through the basaltic gateways to the fastnesses of the mountains. The driver, with his ghastly freight of dead and wounded, returned to the station. Large rewards were offered by the stage company for the arrest of the desperadoes who had committed this frightful butchery, and for the recovery of the stolen treasure. Many members of the Vigilante organization of Montana started in pursuit, but all attempts to trace the murderers were for some time abortive.

Frank Williams, the driver of the coach, soon after left the employ of the stage company, and was for some time a hanger-on of the saloons of Salt Lake City. The lavish use he made of money while there, excited the suspicion of those who were in pursuit of the robbers, and when he left the city, they followed him and watched him closely, until satisfied that he was using money in larger amounts than he could have obtained honestly. At Godfrey's Station, between Denver and Julesburg, they arrested him. Conscience-smitten, he fell upon his knees at the feet of his accusers, and made a full confession, implicating eleven confederates, whose names and places of abode he revealed. He admitted that he had driven the coach into the ambush for the purpose of aiding

the robbery, in the avails of which he was a participant. It probably never occurred to him that the murder of the passengers was possible; and from the moment of its occurrence he had not known a moment's peace of mind or freedom from fear of arrest. He was hanged near Denver immediately after his arrest and confession. The information he gave enabled his captors to eventually secure the persons of several others engaged in the robbery, who were summarily executed, — but the larger portion of the robbers are still at large.

There have been several coach robberies in Port-Neuf cañon and the vicinity since the one here recorded, but none in which life was taken. Indeed, attacks upon the downward bound coach became so frequent that for several years before the completion of the railroad the stage company provided for each treasure coach a guard, whose business it was to defend both treasure and passengers by all means in his power. Among the men selected for this duty they made choice of two who had figured conspicuously in the early Vigilante history of Montana, John X. Beidler and John Fetherstun.

The only stage station in this cañon was known by the very appropriate name of "Robbers'

Roost," and I never passed the place without a feeling of mingled sadness and horror at the recollection of the tragedy which has given it such a bloody notoriety. Forty-six times have I passed through this cañon on trips from Montana to the States and returning. It has been with me a life-long custom to take my seat with the driver, and occasionally when riding through the cañon, clad in a buffalo overcoat, with headgear to correspond, I have experienced an instinctive feeling of discomfort at the thought that I might be mistaken for a guard, who is always deemed the legitimate prey of the road agent, and shot down by some avenging Nemesis of the band. The robbers, however, seldom demand the money or other personal effects of the driver or messenger, as these, being of small value, poorly compensate for the risk incurred in robbing the treasure-box and the passengers.

Among the various devices I had thought of adopting to escape robbery in case of attack, I finally concluded to act the part of a messenger, with whose methods long observation had made me familiar. The objection to this was that the robbers frequented *incog.* the stations on the route of their contemplated depredations, and knew the *personnel* of all or nearly all the mes-

sengers. No mercy therefore would be shown to any one who was detected in the attempt to personate one of them. The risk was too great to be incurred except by one who courted adventure, or where the safety of a large amount was involved. An opportunity finally came.

My duties as bank examiner required a visit to Santa Fé, New Mexico, in the latter part of June, 1878. Having completed my examinations, the cashier of the Second National Bank requested me on my return to convey to Denver a considerable sum of gold and currency.

The coach robberies had been so numerous for nearly a year on this route, that Messrs. Barlow and Sanderson, the proprietors of the stage line and the express company, had refused to transport treasure over it, and all packages of merchandise were sent in charge of trusty messengers. I reluctantly assented, they taking the risk of the safe conduct of the money, — the other risk, to me at least the greater of the two, my own safety, I had to take myself. I was the only passenger. No one else coveted a ride over the dismal route. The money was securely locked in my valise which was packed among the mail-bags inside the coach. On arriving at Las Vegas a change of drivers took place. Charley Fernandez, a half-blood

Mexican whose acquaintance I had made years before while on the same trip, took the reins, and we continued on our way in excellent spirits. He was known by the *sobriquet* "Mexican Charley." He was an excellent whip, and noted for his coolness in danger, and kindness to his horses. At Eureka, Mr. Stewart, the stage company's blacksmith, who had been shoeing the horses along the route, got into the coach. Fatigued with overwork, he re-arranged the mail-bags and spread his blankets, and, without my knowledge, removed my valise containing the money to the front boot of the coach. The first half of the night had worn away. Charley had told me a great number of thrilling incidents about the stage travel, and the trouble with road agents along the road. The subject, though interesting, was not at the time and under the circumstances particularly inspiring, especially as we were now passing through the infested portion of the route. I had contrived to fall into a doze, and in that creepy mood so common to people whose condition is half-way between slumber and wakefulness, had so con-jumbled road agents and stage coaches, that but for a fortunate jolt now and then, I should probably have fallen into the unhappy consciousness that I was really a victim to rob-

bery and disaster. We were passing at a moderate pace a cluster of isolated hills, known in that region as "Wagon Mound Buttes." The horses had just begun with slackened gait to ascend a grade, when Charley roused me from my revery by a quick, short, half-breathless ejaculation, "What's that in the road ahead of us?" Every sense I possessed was roused in an instant. The trust I had undertaken gave me infinite concern, and I confess to an alarm bordering upon fear. If I had left that money behind, I thought, I should have little trouble in taking care of myself. Peering into the darkness at that moment partially dispelled by the rising moon, I discovered, about fifty yards in front, two objects just disappearing among the bushes by the roadside.

"I guess," said Charley, re-assuringly, "it's nothing but burros."

"Quite likely, Charley," I replied. "We have seen them at intervals all the way."

"That's what it is, you may depend," rejoined Charley. "I've often mistook 'em before for the blasted road agents. But I was a leetle skeered at fust, warn't you?"

"Considerably, Charley. I don't want to meet them this time, at any rate."

"No danger, I guess," said Charley, as he

touched his leaders with the whip to urge them up the grade.

The horses pulled along at a quicker gait, and I was settling back into a state of tranquil somnolence, happy in the thought that we were not probably the first men who had been frightened by a couple of jackasses, when suddenly, as if springing out of the solid earth, two men jumped from the bushes. They were about twenty feet apart. The one most distant, a short, rather slender person, seized the bits of the leaders with his left hand, holding in the right a cocked revolver. The other, a stalwart figure of six feet, with corresponding physical proportions, raised a double-barrelled shot-gun, and aiming it directly at my head, shouted in a fierce, impetuous tone, —

"Halt! Don't either of you move a hand. I want that treasure-box." This startling salutation, with its accompanying demonstration, for a moment filled me with apprehensions, but the quick reply of Charley, "There's no treasure-box aboard," restored me to instant calmness. Now, thought I, is the time to put my chosen theory into practice.

"Don't say a word to them, Charley!" said I, in a suppressed tone. "Let me do the talking."

The big robber, whose determination was more

strongly whetted by Charley's reply to his first demand, now spoke in an angry tone, and with his gun in closer proximity to my head, exclaimed, —

"I tell you I want that treasure-box, and quick too. Throw it right down there," pointing to the ground alongside the forward wheel of the coach.

My rapid breathing had now so far abated that I was able to say in a steady, natural tone, —

"The driver has told you the truth. I have no treasure-box on this run. I don't know what the other boys have had. You fellows have run the road to suit yourselves this summer. I haven't had a treasure-box for more than two months."

"I know better than that," he replied, with the usual formula of oaths, "and if you don't throw out that box, I'll shoot the top of your head off," at the same time advancing two or three steps, and aiming his gun with both barrels cocked, less than a yard's distance from my head; — by reaching forward I could have touched it.

The man was very nervous. I knew that his object was robbery without murder, rather than murder and robbery afterwards. In his excitement, which had been rapidly increasing in intensity, I feared that he might unintentionally pull the triggers on which his fingers were resting. To possibly avoid a fatal result in such case, I moved

my head backward and forward, to the right and left, and tried to keep as much out of range as possible. All to no purpose: — the gun kept motion with me, and held me constantly in range. I finally said to him, —

"Oblige me by holding your gun a little out of range with my head. You've got the drop on me, but I can't believe you wish to kill a man who is ready to give you all he has."

"You just give me that treasure-box, and you won't be hurt," he replied, in an obstinate tone, with his gun still in position.

The other robber, seemingly much amused at the fear I manifested for my safety, in a jocular manner shouted to me, in a voice peculiarly feminine, —

"Does them gun-barrels look pretty big?"

I replied that I could not readily recall a time in my life when gun-barrels looked quite as large as they did at that moment, and that although neither the moon nor stars were very bright, yet I was quite sure I could read the advertisements on a page of the New York Herald which they had used for gun wadding.

This answer excited their mirth, and they laughed quite heartily, but it did not divert them from their purpose. After parleying with them a few

minutes longer, I handed the big man the way-pocket containing the way-bill, and told him that the entire contents of the coach were entered on it, and he could satisfy himself that there was no treasure-box on board. They made the examination and were convinced.

During this research they watched our movements closely, lest Charley or I should draw a weapon. Neither of us was armed. Returning the way-bill to the leather pocket, the big man in a surly tone inquired, —

"Got any passengers aboard?"

"There is a man inside, but he is not a passenger," I replied.

"Who is he then, and what is he doing there, if he is not a passenger?"

"He is the company's blacksmith."

Frenzied with the disappointment of not finding a treasure-box, and thinking that I was endeavoring to screen a passenger by calling him an employé, the robber exclaimed, —

"That's played out. I want that man," and, rattling the coach door, in language redundant with profane superlatives, he ordered him, if he wished to escape being shot, to come out and show himself.

Stewart, who had slept through all the previous

part of the colloquy, on being thus summarily summoned, comprehended the situation of affairs, and slipping a small roll of greenbacks into his shoe, stepped out of the coach.

"Throw up your hands," was the stern command addressed to him emphasized by the double muzzle of a loaded gun within a few feet of his head. He was not slow to comply, nor to submit with the best possible grace to the search which followed, yielding only a single Mexican dollar.

The fury of the robber as he held this meagre trophy of his enterprise up to the pale moonlight was dramatic in the highest possible degree, and yet so associated with his earlier disappointments, that one could hardly restrain himself from bursting into an uncontrollable fit of laughter.

"What business have you," he yelled, interlarding his speech with an unlimited use of profane and opprobrious epithets, "to be travelling through this country with no more money than that?"

Stewart answered that he was the horse-shoer of the company, which paid his bills while on the road, and he therefore had no need of money while thus employed.

After a careful examination of Stewart's hands, which were found to be hard and callous, and the

discovery of a box containing the tools used in horse-shoeing, the robber was satisfied that he had told the truth, and returned the Mexican dollar. Baffled at all points, he hurled the way-pocket into the sage brush, and in a tone of mingled anger and disgust, exclaimed, —

"No passengers, no treasure-box, no *nothing*. This is a — of an outfit." With his gun still in point-blank range, he crept close beside the front wheel, and by the subdued light gazed scrutinizingly into my face for a brief space, as if to ascertain whether he had ever seen me before. He repeated this so often that I feared he would resolve the doubt he evidently entertained of my assumed office against me, and shoot me for the imposition. This to me was the most terrible moment of the encounter. I returned his stare each time with an impassive countenance, resolved at all hazards to persist in my experiment. While thus occupied, he directed his companion to examine the contents of the rearward boot and overhaul the mail bags within the coach. Ten minutes later, the search proving abortive, he said in slow, measured tones, dropping back a few paces, —

"Well, I guess you'd better drive on."

Charley gathered up the reins, and was about

giving the word to his horses, when it occurred to me that I might complete the deception I had all along practised by a little *ruse* which the occasion seemed to demand.

"Hold on, Charley," and turning to the discomfited man I added, —

"I want my way-pocket."

"You can't have it," was the prompt reply.

"But I must have it," I insisted. "I can't go on without it. The company will discharge a messenger who loses his way-pocket."

This reply seemed to allay his suspicions. He stepped into the sage brush and returned in a few minutes with the pocket, which he gave me, and ordered us quite peremptorily to drive on.

Charley needed no second invitation, but drove on quite briskly. After mutually congratulating each other on our escape, we naturally recounted the events of the evening, and among other things commented upon the feminine voice of the smaller of the robbers; but I soon dismissed the subject, feeling too well satisfied with the success of an artifice which had saved the bank a considerable sum of money, and possibly both of us from a fatal calamity.

Several months after this adventure, while returning by stage from Leadville to Pueblo, the

driver directed my attention to a grave marked by a low wooden slab on the plateau overlooking the Arkansas river a short distance below Buena Vista. Just beyond it was an abrupt ravine.

"I never pass that grave," said the driver, "without being reminded of the event connected with it. A few weeks ago a band of horses had been stolen from a ranche on the road between Trinidad and Wagon Mound Buttes, by two horse thieves who were pursued by the owners over the range into the Arkansas Valley. They were overtaken with the stolen herd in that ravine. On attempting to enter it the smaller thief commanded the pursuing party to halt, disregarding which, he fired upon and wounded two of them. Roused by the firing, the other thief appeared, and a pitched battle ensued, in which he was slain outright, and the other fatally wounded. Surgical aid was obtained, and the surviving thief was found to be a woman. She died in a few days thereafter, refusing to the last to reveal her history, or furnish any clew by which it might be traced." This event occurring so soon after the attempt to rob the coach, convinced the people thereabouts of the identity of the persons engaged in both outrages.

Many of the "home stations" on the stage

lines where meals were served, were favorite camping-grounds for freighters engaged in the transportation of merchandise from the railroad to the interior towns. On the road between Kelton and Boise, the station at Rock Creek, one hundred miles distant from the railroad, was kept by Charles Trotter. It was one of the few stopping-places where palatable meals were served. Its reputation in this respect won for it a widespread popularity with the travelling public, and in process of time a small settlement sprung up around it. A store was opened, where emigrants and others could obtain provisions, clothing, and such other necessaries as they needed. Naturally enough, many of the new-comers were rough in their tastes, fond of gambling, drinking, and the athletic sports common in an unorganized community. The influence exercised by a few citizens of the better class was all that saved the little settlement from lapsing into lawlessness and crime.

My diary for 1877 shows that on September 17th I passed through Rock Creek by stage *en route* for Boise. Our coach entered the place about the middle of the afternoon. An Englishman who had arrived in America a fortnight before, was the only passenger besides myself. It

was his first journey in a stage coach, and the rough and desolate region through which it lay presented to his mind many features of novelty and interest, mingled with no little disquietude at the strange character of his surroundings. He was in a condition to be alarmed at anything.

As we alighted from the coach, our attention was directed by loud hilarious singing to a company of twenty or more men approaching the station, bearing in their midst a long pine box. I perceived at once that it was a funeral orgie over the burial of some wretch who had paid the penalty of a summary death for a life of crime. A person standing near me replied to my inquiry as to the cause. He said that about two years previous to this time, a stranger came one morning to the station and asked for breakfast. He was hungry and moneyless. Mr. Trotter gave him a breakfast and he left; but something about his actions and appearance aroused Trotter's suspicions, and, concealed by the sage brush, he tracked him for some distance across the plain, and came up with him as he was in the act of mounting a horse which Trotter recognized as the property of a friend in Boise. Believing that the horse had been stolen, Trotter arrested the man, who gave his name as William Dowdle, sent

him to Boise, where he was tried for the theft, convicted, and sentenced to imprisonment two years in the Idaho Penitentiary. Dowdle avowed that if he lived to be free, he would kill Trotter. At the close of his term he obtained employment as cook for a freighter named Johnson, and slowly wended his way to Rock Creek, where his employer and party camped for a day to replenish their stock of provisions.

The next morning, armed with a revolver, Dowdle went to the station to execute his threat, and was greatly chagrined to learn that Trotter was confined to his bed with typhoid fever. He sought to alleviate his disappointment in liquor, which maddened him to that degree that he threatened the lives of several persons, and, seating himself beside the road, fired indiscriminately at all who passed him. One shot hit a Mr. Spencer, a blacksmith, who was passing quietly along, inflicting what was supposed to be a mortal wound. Attracted by the reports of the pistol, young Wohlgamuth, a relative of Trotter who had charge of the store, hurried to the doorway, when a bullet from Dowdle's pistol penetrated the door-casing, just grazing his head. He immediately grasped his revolver from a shelf hard by, and shot Dowdle through the heart. The villain

fell prostrate in the road, exclaiming, "Such is life, boys, in the days of forty-nine," and died instantly. The entire settlement manifested their approval of Wohlgamuth's timely shot by a season of general rejoicing, and a coroner's jury exonerated him from all blame.

The funeral followed speedily. A rude coffin of pine, with four handles of cords knotted into the sides, was the single preparation. In this the body, incased in Johnson's overcoat, was laid, fully exposed, the cover of the box being laid aside until the conclusion of the ceremonies. Four strong men grasped the handles, and lifting the coffin, the procession formed about equally in front and rear of them, and the march commenced. Frequent potations had exhilarated the entire company to such a degree that no attempt was made to preserve regularity of motion or direction. The line of march was between a ridge on the south and one on the north side of the station, about a mile apart. No clergyman was present to conduct the exercises, and no layman was in a condition to offer a prayer or read the scriptures. The exigency could only be supplied by vocal music; and in the absence of hymn books it was thought to be exceedingly proper and befitting the occasion for all to join in an old

California refrain entitled, "The Days of Forty-Nine." Indeed, the last words of Dowdle seemed to convey a request for it. The song was a doggerel composed in the early Pacific mining days in commemoration of "Lame Jesse," a kindred spirit to Dowdle. The mourners on this occasion substituted for the name of "Lame Jesse" that of "Dowdle Bill." This musical service was progressing as our coach drove up to the station. The song consisted of a score or more of verses of which I can recall the following only: —

"Old Dowdle Bill was a hard old case;
He never would repent.
He never was known to miss a meal, —
He never paid a cent.

"Old Dowdle Bill, like all the rest,
He did to Death resign;
And in his bloom went up the flume,
In the days of Forty-Nine."

Mrs. Trotter informed me that this procession of men bearing the coffin, had marched to and fro between the two ridges in a state of drunken revelry for a period of five hours; some singing one, some another verse, producing an utter confusion of sound, and so excited as to be utterly unable to preserve a straight line. At one of their halts near the coach, Johnson, who was at

the moment one of the bearers, discovered that his own overcoat covered the body.

"—— if they haven't laid him out in my blue overcoat!" he exclaimed, and loosening his hold of the handle, he raised the body, removed the coat, and put it on his own back. The march was then resumed, and amid singing, shouts, and laughter, the body was borne to a low ridge and buried.

Supper being soon announced, my English fellow-traveller did not appear at the table. He was perfectly appalled at the scene he had witnessed.

"Is this," he inquired, with much earnestness, "the usual way funerals are conducted in this wild country? We never have such proceedings in England, you know. If the better class of people do such things, the country must be pretty rough. I didn't know but they'd take me next, and I hadn't any appetite."

I assured him that our lives were perfectly safe; but it was not until we reached the next eating station, that hunger seemed to conquer his fears, and he was fully re-assured.

CHAPTER XXVI.

RETROSPECTION.

In the former chapters of this history, we have seen that the people of Montana did not adopt the Vigilante code until a crisis had arrived when the question of supremacy between them and an organized band of robbers and murderers could be decided only by a trial of strength. When that time came, the prompt and decisive measures adopted by the Vigilantes brought peace and security to the people. If any of the murderous band of marauders remained in the Territory, fear of punishment kept them quiet. Occasionally indeed a man would be murdered in some of the desolate cañons while returning to the States, but whenever this occurred the offenders were generally hunted down and summarily executed.

When the executive and judicial officers appointed by the government, arrived in the Territory in the autumn of 1864, they found the mining camps in the enjoyment of a repose which was broken only by the varied recreations which

an unorganized society necessarily adopts to pass away the hours unemployed in the mines. The people had perfect confidence in the code of the Vigilantes, and many of them scouted the idea of there being any better law for their protection. They had made up their minds to punish all law-breakers, and there were many who did not hesitate to declare to the newly arrived officers, that while the courts might be called upon in the settlement of civil cases, the people wanted no other laws in dealing with horse-thieves, robbers, and murderers, than the ones they themselves had made. This feeling, though not so general as was claimed for it, was quite prevalent at that time among the miners. As soon, however, as they found the courts adequate to their necessities, they readily conformed to the laws and their administration after the manner prescribed by the government, and the Vigilante rule gradually disappeared. In several extreme cases they anticipated by immediate action the slower processes of law, but this occurred only when the offence was of a very aggravated character.

Some of the leading newspapers of the nation, and the people of many of the older communities where the hand of the law was strong, and sufficient for the protection of all, have denounced

the action of the Vigilantes as cruel, barbarous, and criminal; but none of them have had the perspicacity to discover any milder or more efficacious substitute, — though apologies and excuses for the murderers have been numerous and persistent. The facts narrated in these volumes are a sufficient reply to these hastily formed opinions. The measures adopted were strictly defensive, and those who resorted to them knew full well that when the federal courts should be organized, they themselves would in turn be held accountable before the law for any unwarrantable exercise of power in applying them. The necessity of the hour was their justification. Too much credit can never be awarded to the brave and noble men who put them in force. They checked the emigration into Montana of a large criminal population, and thereby prevented the complete extermination of its peace-loving people, and its abandonment by those who have since demonstrated, by a development of its varied resources, its capacity for becoming an immense industrial State of the Union. They opened up the way for an increasing tide of emigration from the East, to this new and delightful portion of our country. They sought mainly to protect every man in the enjoyment of his own, and to afford

every citizen equal opportunity to seek for and obtain the hoarded wealth of the unexplored mountains and gulches in the richest portion of the continent. They made laws for a country without law, and executed them with a vigor suited to every exigency.

Not one of that large cosmopolitan community who faced the realities of brigand domination and aggression, ever complained of the means by which they were terminated. The change was as welcome to them as sunlight to the flowers, or rain to the parched earth. It changed their fear into courage, and their despondency into hope. It cheered them with the promise that their hard toil and coarse fare would eventuate in good, and that the star which had led them from homes of comfort to these distant wilds, did not, —

"Meteor-like, flame lawless through the skies."

A marked improvement soon became visible in all classes of society. Pistols were no longer fired, and bowie-knives were no longer flourished in the saloons. Gambling, though still followed as a pursuit by many, was freed from all dangerous concomitants, and the hurdy-gurdy houses wore an appearance of decency and order that they had not known before. An air of civil restraint

took the place of recklessness in personal deportment, and men lived and acted as if they had suddenly found something in the community worthy of their respect. This enforced reformation was only to be preserved by a rigid observance of the regulations which had produced it. There were hundreds of men in the Territory ready to take advantage of the smallest relaxation, to rush again into organized robbery and murder. The Vigilantes understood this, and that there might be no mistaking their intentions, they pursued every criminal, from the greatest to the smallest, oftentimes aiding the civil authorities, and suffering no guilty man who fell into their hands to escape punishment.

A quarter of a century has elapsed since the United States Congress gave to Montana a territorial government. At that time it was the wildest and least inhabited portion of our national domain. A very small portion of it only had been reclaimed from the savage tribes which had inhabited it for centuries — the few whites who had gone there holding it by an occupancy so nearly divided between the lovers and the violators of law and order, that it was next to impossible to convert it into a peaceful, law-abiding community. There was nothing in the writings of early ex-

plorers to render it attractive for any of the purposes of permanent settlement. Captains Lewis and Clarke, who explored this region in 1804–5–6, had told of its great rivers and valleys, its rocks and its mountains, and the numerous nomadic tribes which subsisted upon the herds of buffaloes, elks, and antelopes, that fed on its perennial grasses. Their story had been repeated in more graphic form by Washington Irving in his version of Captain Bonneville's expedition. Trappers and hunters belonging to the Northwestern and American fur companies, had told many thrilling adventures of their frequent conflicts with Indians and grizzlies; but no one had ever testified to the vast wealth of its mountains and gulches, the surpassing fertility of its valleys and plains, and the navigability and water facilities of its wonderful rivers. The possibility that it could ever become anything more than a field for fur-hunters, or a reserve for some of our Indian tribes, had never been seriously considered by any one. All the worst crimes known to the Decalogue stained its infant annals, until, roused by a spirit of self-defence, the sober-minded and resolute population visited in their might with condign punishment the organized bands of ruffians which had preyed upon their lives and property. These,

as we have seen, were speedily swept away from the face of the earth, and the organization of the Territory was then complete. To-day Montana is the most attractive of all the Territories recently admitted into the Union. With a large and increasing population dwelling in cities, agricultural and mining districts, it is rapidly growing into one of the most powerful States of the Union. Favored by nature with a healthful climate, and with seasons of heat and cold equally distributed, it cannot fail to give birth to a hardy, vigorous, and enterprising people. The development of its vast and varied resources has just commenced, yet, under its inspiring influence, large cities have sprung up, manufactories have been established, vast valleys subdued, great railroads constructed, and the work of a steady and increasing improvement made everywhere visible throughout its borders.

Many of the noble-hearted pioneers who placed themselves in the van of this movement have passed away. Montana, which is now received into the Union, may well mourn the loss of such courageous spirits as James Stuart, Walter Dance, Neil Howie, John Fetherstun, Dr. Glick, and many more who have not lived to see her in her day of grandeur and triumph. A time should

never come when the memory of these men should cease to be venerated. It should never be forgotten that Montana owes its present freedom from crime, its present security for life and property, to the early achievements of these self-denying men, and of their comrades who still survive; who established law where no law existed, spoke order into existence when all order was threatened with destruction, declared peace where all was anarchy, and laid broad and deep the foundations of a great and populous State amid the perils of robbery and bloodshed. Equal in degree to the sacrifices made by the brave soldiers of the war who saved our Republic, were the deeds of those who saved the Territory from rapine and slaughter. Like them, the graves of the dead should be crowned with flowers, and the pathway of the living be brightened with the rewards of a grateful people.

Standing in the valley of the Mississippi, and beholding its marvellous development, we talk of the West — its cities, its agriculture, its progress — with rapture; we point to it with pride, as the latest and noblest illustration of our republican system of government; but beyond the West which we so much admire and eulogize, there is another West where the work of development is

just commencing: a land where but a quarter of a century ago, all was bare creation; whose valleys, now teeming with fruition, had then never cheered the vision of civilized man; whose rivers, now bordered by thousands of happy homes, then rolled in solitary grandeur to their union with the Missouri and the Columbia; — a land whose rugged features, civilization with all its attendant blessings has softened, and where an empire has sprung up as if by enchantment; — a land where all the advantages and resources of the West of yesterday are increased, and varied, and spread out upon a scale of magnificence that knows no parallel, and which fills the full measure of Berkeley's prophecy, —

> "Westward the course of Empire takes its way.
> The first four acts already past,
> A fifth shall close the drama with the day.
> Time's noblest offspring is the last."

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THE END.

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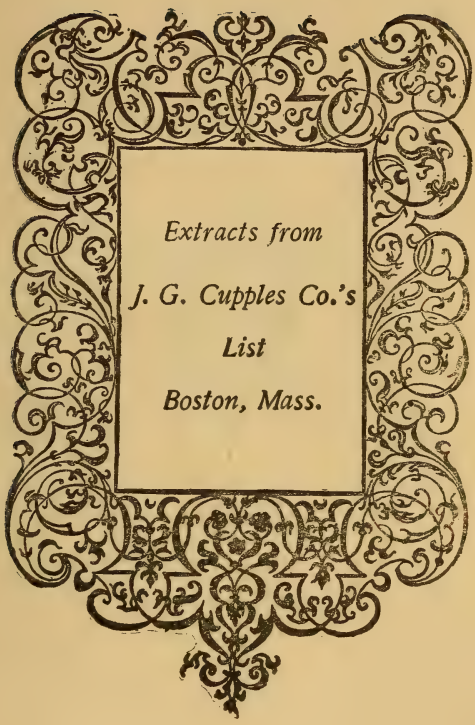
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